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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE STATE OF MICHIGAN—Part 8

(FLINT)

HEARINGS

BEFORE THE

COMMITTEE ON UN-AMERICAN ACTIVITIES

HOUSE OF REPRESENTATIVES

EIGHTY-THIRD CONGRESS

SECOND SESSION

APRIL 30 AND MAY 12, 1954

Printed for the use of the Committee on Un-American Activities

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Public Law 601, 79th Congress

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, * * *

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

Rule X

SEC. 121, STANDING COMMITTEES

* * * * * * *

17. Committee on Un-American Activities, to consist of nine members.

Rule XI

POWERS AND DUTIES OF COMMITTEES

* * * * * * *

(*q*) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

RULES ADOPTED BY THE 83D CONGRESS

House Resolution 5, January 3, 1953

* * * * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress, the following standing committees:

* * * * * * *

(q) Committee on Un-American Activities, to consist of nine members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * * * *

17. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make, from time to time, investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE STATE OF MICHIGAN—Part 8

(Flint)

FRIDAY, APRIL 30, 1954

UNITED STATES HOUSE OF REPRESENTATIVES,
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Lansing, Mich.

EXECUTIVE AFTERNOON SESSION [1]

The subcommittee of the Committee on Un-American Activities met, pursuant to call, at 3:05 p. m., Representative Kit Clardy being present.

Committee member present: Hon. Kit Clardy.

Staff members present: Frank S. Tavenner, Jr., counsel; Donald T. Appell, investigator.

Mr. CLARDY. The hearing will be in order. Mr. Counsel, are you ready?

Mr. TAVENNER. Yes, sir.

Mr. CLARDY. Will you stand, witness, and be sworn? You do solemly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

The WITNESS. I do.

Mr. TAVENNER. It is the practice of the committee to advise all witnesses who appear before it that they have the privilege of consulting counsel during the course of their interrogation if they desire to do it. Having noted that you do not have counsel with you, I assume that you do not desire counsel.

The WITNESS. No.

TESTIMONY OF WITNESS X [2]

Mr. TAVENNER. Have you had occasion in the past to work for any agency of the United States Government within the Communist Party?

The WITNESS. Yes, I have.

Mr. TAVENNER. What agency of the Government was that?

The WITNESS. The Federal Bureau of Investigation. I would like to put on record that I did not work for them; I cooperated with them.

Mr. TAVENNER. When you state that you cooperated with them, do you mean to state that you worked for compensation or that you worked for them without compensation?

[1] Released by the committee.
[2] Name of witness not released.

The WITNESS. I refused compensation.

Mr. TAVENNER. What motivated you in undertaking that work?

The WITNESS. Well, at the time I had several contacts with the Communist Party, well-known Communists who happened to be the same nationality I was, and an agent of the Federal Bureau of Investigation asked if I wouldn't cooperate with them since it was apparent that I had very few Communist ideas, and it was not likely that I was a Communist.

Mr. TAVENNER. You were willing to accept that undertaking, were you not?

The WITNESS. After consideration, yes.

Mr. TAVENNER. Had you been a member of the Communist Party or affiliated in any manner with it prior to this arrangement with the Federal Bureau of Investigation?

The WITNESS. No.

Mr. TAVENNER. Did the work that you agreed to do require you to become a member of the Communist Party?

The WITNESS. Yes.

Mr. TAVENNER. When did you become a member?

The WITNESS. September of 1949.

Mr. TAVENNER. And how long did you remain a member?

The WITNESS. Until 1952; I believe it was 1952.

Mr. TAVENNER. Can you state the date in 1952 when you ceased to perform this service for the Federal Bureau of Investigation?

The WITNESS. Well, it was in the spring, April. I don't know exactly. I don't recall.

Mr. TAVENNER. During the period of your membership at the request of the Federal Bureau of Investigation did you report the activities observed by you to the Federal Bureau of Investigation?

The WITNESS. Yes.

Mr. TAVENNER. Will you tell the committee, please, where you became a member of the Communist Party? That is, in what city, and also state the circumstances under which you got into the party.

The WITNESS. I became a Communist, member of the Communist Party, in Flint Mich., and at the time of my membership it was generally agreed that no cards were issued, so I paid a membership fee, and I was automatically a member of the Communist Party.

Mr. TAVENNER. Were you assigned to a unit or group of the Communist Party when you first became a member?

The WITNESS. Yes, I was. I was assigned to the Labor Youth League and the Progressive Party.

Mr. TAVENNER. What was the nature of your assignment to the Labor Youth League and the Progressive Party? Let us begin first with the Labor Youth League.

The WITNESS. At that time there were quite a number of Communists who were classified as youth, and because I was young and because of what they considered my contacts with the youth of Flint and my long association with the people of Flint, they felt that I would be best suited for that particular organization.

Mr. TAVENNER. Prior to your being assigned to the Labor Youth League did you attend a regular meeting of a Communist Party group?

The WITNESS. Yes.

Mr. TAVENNER. What was the name of that group?

The WITNESS. The Youth Club of the Communist Party.

Mr. TAVENNER. Do you recall where it met?

The WITNESS. Yes, I recall where it met, at 1814 Jasmine Street.

Mr. TAVENNER. Was that a private residence?

The WITNESS. Yes, it was.

Mr. TAVENNER. Whose home was it?

The WITNESS. It was the Baxter residence, and Louis and Bolza had an apartment, and the meeting was held in the apartment.

Mr. TAVENNER. What business was conducted at that meeting?

The WITNESS. It was financial; the business was taken care of. I believe at that time Jimmy Zarichny—his Christian name is James Zarichny—had an educational forum, I would say, where the various so-called attacks upon Communists were discussed, and I believe at that meeting it was recognized that the future was to hold more martyrdom for the Communists. I was introduced as a new member, and there were various members that had not attended who they believed were not to continue their membership because of their lack of interest.

I don't recall the names except one, and it was a young girl, and they thought it was best that she remain out of the Communist Party. They never really considered her a Communist.

Mr. TAVENNER. Can you recall who took the leading parts in the business that came before that meeting?

The WITNESS. Yes, I can. Bolza Baxter, Jimmy Zarichny, and Louis Baxter. Bolza was the chairman, and Jimmy had the forum I spoke of, and Louis, as usual, pounded out his theories and made a valuable contribution to the whole meeting.

Mr. TAVENNER. How many were in attendance at this meeting?

The WITNESS. Approximately eight.

Mr. TAVENNER. Was it at this meeting which you have referred to that you were assigned by the Communist Party to work in the Labor Youth League?

The WITNESS. No, I was not assigned at this meeting. Assignments aren't given out that readily. It was at a later meeting.

Mr. TAVENNER. Was the matter discussed at this meeting?

The WITNESS. No, it was not.

Mr. TAVENNER. Did a discussion take place at this meeting regarding the importance of Communist Party work within the Labor Youth League?

The WITNESS. No.

Mr. TAVENNER. What directions were given at this meeting as to the time and manner in which the group would meet again?

The WITNESS. There were no specific directions given. The group was told that they would be notified of a future meeting, and the future meeting which was referred to was not spoken of in a, shall we say, definite manner. It was put on a very inconsistent basis, at some time soon the group would be hearing from the chairman.

Mr. TAVENNER. Was that information given in such a way as to indicate some unusual action was proposed to be taken?

The WITNESS. Yes; in view of the discussion that had ensued, I would say yes.

Mr. TAVENNER. When did the next meeting occur?

The WITNESS. In September. It was about 2 weeks later.

Mr. TAVENNER. Where was the meeting held.

The WITNESS. The meeting was held in a farmhouse near Lapeer. At any rate, it is in Lapeer County, and the farmhouse, I believe, is or was owned by a trade union. The name of the trade union I do not know.

Mr. TAVENNER. Do you know whether the meeting was held in this farmhouse with the knowledge and consent of the officials of the trade union?

The WITNESS. It is just my opinion that the trade union had little if no knowledge of the activities that were at the farmhouse. It happened that a caretaker by the name of Frank—I do not recall his last name—was considered very progressive and in sympathy with the Communists, and when arrangements were to be made as to a meeting place, well, Frank was contacted. This arrangement not only was as far as meetings were concerned, but if someone wished to drop out to the farmhouse for recreational purposes, such as fishing or just going out for a drive, they would very often drop in on Frank. As far as I could observe, the farmhouse was isolated to a degree, and there was no one that could really observe the activity.

Mr. TAVENNER. Upon arriving at this meeting what did you ascertain was its purpose

The WITNESS. We were told to meet on a Saturday afternoon at this farmhouse, and when we arrived, we found people from out of town there. I was quite surprised because I had thought that the meeting was more a recreational one than a business one. After we arrived, the out-of-towner, Jack Gore, presided as chairman, and we were told at that time that the Communist Youth Club was being dissolved and that from now on the youth would be categorized as the Labor Youth League and the Young Progressives, often called the YP.

The reason for dissolving the Communist Youth clubs was that they felt that there was a national need for a Marxist youth organization and a national need for a youth organization whose function was a progressive one, but not necessarily a Marxist one. At this meeting it was brought out that with the trend of the times as they were, including such factors as unemployment, war, that the youth was ready to be moved into progressive channels, and yet because of the hysteria of communism existing in the country at the time, they would be hesitant to join a known Communist group.

At this meeting it was pointed out that the leaders had met previously and had discussed these questions, and it was felt that the Labor Youth League and the Young Progressives would make a far more valuable contribution than would the Communist youth if they were known as Communist youth. Naturally there were several questions asked, one of them being, "Well, does this mean we are not Communists any more?" They were answered that, no, it did not mean they were not Communists any more because they would still abide by the rules and regulations of the section committee, and that they would still have contact with the Communist Party, but it would not be as active a contact as they would have had previous to the organization of the Labor Youth League and the YP.

Mr. TAVENNER. Did you learn from any of the persons present of any action that had been taken on a national level regarding the youth work in the Communist Party?

The WITNESS. Yes, I did. In May of 1949 I understand—although I was not present at that meeting—that the national youth leaders of the Communist Party met in Chicago, on the north side, I believe. At this meeting it was decided that the Labor Youth League and the YP would be much more of a vanguard organization than the young Communists working within the framework of the Communist Party.

Mr. TAVENNER. From whom did you learn that?

The WITNESS. I learned it from Bolza Baxter.

Mr. TAVENNER. Did he state whether or not he had been in attendance at that meeting?

The WITNESS. He had not been in attendance. I think he was rather hurt that he wasn't in attendance, but he had received instructions as far as the meeting was concerned from Jack Gore who was at that time the State chairman. He was decided to be State chairman at that meeting.

Mr. TAVENNER. Was it at this meeting that the matter of your assignment to the Labor Youth League was discussed and decided upon?

The WITNESS. Yes, it was at this meeting.

Mr. TAVENNER. What further discussion was there at this meeting regarding the assignment of Communist Party members to the Labor Youth League and to the Young Progressives or any other organizations?

The WITNESS. It was felt at that meeting that myself, because I was a native Flintite, that it would be best if I worked with the Labor Youth League. It was also felt at that time that if the people were broken into halves—for instance, half native young people and the other half out-of-towners, colonizers, which I am sure will be taken up later—that the Flint people could give them directions as to the environment in Flint and the activities of Flint, the history of Flint, so therefore not all out-of-towners were put in YP and not all out-of-towners were put in LYL because there had to be some that were from Flint and that were well-known who could give directions to the out-of-towners.

It was felt that the out-of-towners very often were not known, so therefore were not trusted, but if you were from Flint and had been a resident of Flint for quite some time, then naturally you would have long-time associations with various groups and individuals, and so forth.

Mr. TAVENNER. What other assignments, if any, were made at this meeting?

The WITNESS. The primary assignments were made to LYL and YP, as I have stated before. However, there were a few individuals who were taken out of youth work completely because they were shop workers, one of them a shop worker of long standing, so therefore it was felt that he would be of much more use to work directly with the trade unions than to be working with youth groups. Interestingly enough, the age factor did not play a great part in this because there were older people that did work with youth groups that were the same age as the ones that were taken out.

Mr. TAVENNER. You mentioned a moment ago that there were colonizers in the Flint area. Will you tell the committee, please, what you meant by the use of this term?

The WITNESS. The word "colonizer" was used quite frequently at that time, and at that time it meant people who were sent by the Communist Party from other cities, principally New York, to come to industrial areas to help and to further the aims of the Communist Party within a given area. In this area it would naturally be Flint.

However, after a period it was a suggestion of the Communist Party that the word "colonizer" be dropped since when people would come in to work within a given area, they should immediately acclimatize themselves to the area to which they were sent; therefore, thinking of themselves as colonizers and with ties in other cities did not help the Communist Party.

Mr. TAVENNER. Will you state to the committee, please, who were known to you to have been sent in to the Flint area as colonizers, the States from where they were sent, if you know, and all other facts within your knowledge which would demonstrate the purpose for which they were sent. In answering this question it would also be well for you to state what assignments the individual persons were given in the Communist Party as a result of the meeting which you have been describing.

The WITNESS. The colonizers for the most part were sent to Michigan from New York City. Now, it is generally known, I believe, that New York has a proportion of Communist members in the Communist Party which is a higher proportion than in other areas, any other given area in the country. Now, the Communists in New York had not worked in industry, had not participated in trade-union struggles; they were considered more of intellectual Communists, so that the leadership of the Communist Party felt that these people should learn more of the various aspects of industrial life, and as they would phrase it, to learn more of the struggles of the trade-union movement and of the struggles of the people who had to be Communists and work in trade-union movements. These persons from New York were asked to come into the industrial areas. Some of their occupations were certainly not industrial. Some were college students; some were recent college graduates; some were housewives.

Upon their assignment to an industrial area they were sent to the district headquarters in Detroit, and from there reassigned to other industrial areas. It should be made clear right now that these people were sent not openly—by that I means they were instructed to be quite secretive—very often they were not to let their friends in school, let their friends in their social life in New York, know what they were doing, and it was a highly secretive operation.

After they would come to Detroit, many of them stayed here, and there were a few assigned to Flint.

After they arrived in Flint, their immediate purpose was not to dally too much, but to put in an immediate application into the auto factories. In fact, it went on so far that they were even told what factory to put their application in because they wouldn't want all the Communists, for instance, to work at Buick as Chevrolet needed a few, too, as did Fisher and AC.

Their presence in Flint was not known immediately. The reason for this, of course, is the 3 months' seniority in the shop. After their 3 months' seniority in the shop was completed, then they would be working more closely with the Communists.

During this 3 months' initial period while they were working in the factory, they were the epitome of good behavior. They discussed no questions. They became quite friendly with the workers. In fact, some of them were quite opposite to the left. Our proportion of colonizers was low, much to the chagrin of the Communist organizers because many of the colonizers were so used to the big city life in New York that they rather liked Detroit because it seemed more like home to them than coming up to Flint.

However, we did have our share, I would say, a good 15 or 20.

Mr. TAVENNER. Will you give the committee the names of those who came into the Flint area who were classified as colonists in the Communist Party?

The WITNESS. I will try. It was very difficult at first to learn their proper or correct names. Very often they would use a pseudo-name or nickname, but as the months went by, of course you became more familiar with them, and you worked with them, so naturally you knew their names and their histories. There was one Howard Falk who was an electrical engineer, I believe, and a graduate of one of the colleges in New York, and I believe it was City College of New York. Howard came from a middle-class background. He obtained work at the Buick motor division and was assigned to LYL as its secretary—later elected secretary.

Mr. TAVENNER. Let me interrupt you at this point. I desire to introduce in evidence and ask that it be received as Witness X Exhibit No. 1, a letter from James S. Peace, associate dean of the City College, addressed to Donald T. Appell, investigator of this committee, relating to the educational attainments of Mr. Howard Falk, from which it appears that on September 1, 1949, he was awarded a bachelor of electrical engineering degree.

Mr. CLARDY. That may be received at this point.

(The letter from James S. Peace to Donald T. Appell, marked "Witness X Exhibit No. 1," was received in evidence.) [1]

Mr. TAVENNER. I desire also to introduce into evidence a photostatic copy of an application for employment in the Buick plant, motor division, Flint, Mich., of Howard Falk and ask that it be received as Witness X exhibit No. 2.

Mr. CLARDY. It may be so received in evidence.

(The photostatic copy of application of Howard Falk, marked "Witness X Exhibit No. 2," was received in evidence.) [1]

Mr. TAVENNER. It is noted from this application that Mr. Falk does not give information indicating that he has received an engineering degree, but, on the contrary, merely shows that he took a course in engineering from 1944 to 1945 when, according to the exhibit No. 1, he received his degree September 1, 1949. From your knowledge of the way in which colonization took place in Flint, have you any explanation to make of that variance between the facts and the application?

The WITNESS. Well, I might be able to clear it up. It would look very odd to the Buick motor division to classify a man who had an engineering degree and who requested just laboring work. It would probably cause them to become suspicious of his motives of employment. So therefore it was party directive that if such a degree were obtained, not to mention it.

[1] Retained in committee files.

If you had a degree and you asked for assembly-line work, don't mention the degree or they will start becoming suspicious, especially if you were from out of town.

Mr. TAVENNER. Was this a device utilized by others who engaged in colonization of this area?

The WITNESS. Yes, it was.

Mr. TAVENNER. Do you know whether there were any instances in which those engaged in colonizing in the Flint area, as you have described, were instructed to give misleading information designed to conceal their actual status?

The WITNESS. Wherever there would be any hint of suspicion, the Communists were instructed to conceal. Because of the period in which they lived, there was always a suspicion of communism, and if it meant a little bit of fabrication on an employment record, they were instructed to do it. If it meant giving false references, they were instructed to do it because most of these personnel records are not checked that closely. There are too many being hired.

Mr. TAVENNER. Where did these instructions emanate from?

The WITNESS. From the section committee.

Mr. TAVENNER. Who is the next person?

The WITNESS. Howard later returned to New York City, and it was at one time thought that he might not come back, but he returned at Christmas with his wife, Nina Phillips Falk. She comes from an upper middle-class background. Her father is a dentist, and she was automatically included in the membership as a member of the Communist Party; in fact, she was just transferred. She was not routed to Detroit. She came immediately to Flint.

Then there was one William Van der Does. I don't know too much about his educational background, but I do know that he had some college work; what college I do not know. He was assigned to YP. About 1 year later he also returned to New York and brought his wife, Lola, also a member of the Communist Party, to Flint. She was not routed through Detroit, although the marriage took place in Detroit.

There was one husband and wife team by the name of Sherwood and—Sherwood, alias Jerry—and Marilyn, alias Molly, Baumkel. Sherwood, alias Jerry, Baumkel had not been employed as far as my knowledge is concerned, in any industry. I do not know his educational background, but I do not think he completed college.

Sherwood had many opportunities to work in New York near his family, more so than the average Communist. He is a personable looking young man and could have gone far had he stayed in New York. He brought with him his wife, Molly, who had attended Hunter College in New York. I do not know if she graduated, but I think she did.

Then there was Martin, alias Marty, Trachtenberg. This man had also a great intellectual capacity and could have gone far had he remained in New York. I believe he attended college, but I do not know if he graduated. With him was Phyllis Trachtenberg who, I believe, attended college, but I do not know if she graduated.

Mr. TAVENNER. What was the nature of his assignment in the Communist Party?

The WITNESS. His assignment in the Communist Party at this meeting was right to the trade union. He was not assigned to the

youth group at all. May I refer back to the record and say that Marilyn Baumkel was assigned to YP. Her husband, Jerry Baumkel, was assigned to LYL, and William Van der Does was assigned to YP; Howard Falk to LYL, and Nina Falk later, but not at this meeting, also to LYL.

Then there was a Marvin Engel, a college graduate of New York City College, I believe, receiving his bachelor of arts degree in teaching. Then there was a Zigmund Israel, who was from Pennsylvania.

Mr. TAVENNER. How were these two persons assigned?

The WITNESS. Marvin was assigned to LYL, and Zigmund Israel to YP.

Mr. TAVENNER. Are you able to identify any other of the New York group? Did I understand you to say there is another one of these Trachtenbergs from New York?

The WITNESS. Yes; there is a Max Trachtenberg and Joy Trachtenberg, husband and wife. Max obtained employment in one of the factories, but it was found that he was a Communist or closely associated with it, and before his three months' period was up, was fired. He then obtained employment with the city of Flint.[1]

His wife, Joy,[2] was employed at the Flint Art Institute as a secretary.

Mr. TAVENNER. Were they and all the other persons you have mentioned, members of the Communist Party in Flint?

The WITNESS. Yes; they were.

Mr. TAVENNER. Now, are there any others?

The WITNESS. Then there was Jack Moscou. Jack Moscou attended a college in New York. I believe it was City College. I do not know if he graduated. He was assigned to YP and was a very popular young man and had quite a bit of influence in producing members for the YP.

Then there was Ted Karpell. Ted Karpell was assigned to YP. Ted Karpell had college training in New York City, but he did not acclimatize himself too well in Flint in that the industrial life did not agree with him. As later testimony will probably produce, he left Flint and returned to New York City. It was the feeling of his fellow workers that he might be a Communist, and charges were preferred against him, and there was a trial, and later he was found not guilty.

However, the workers felt that he was still a Communist, and they were not very responsive to him. Shortly after, he left town, went to New York.

Mr. TAVENNER. Let us go back at this point to the meeting, Communist Party meeting, in September 1949, which you were describing; that is, the meeting at which it was decided to disband the Young Communist group of the Communist Party and assign individuals to various organizations. Will you tell the committee, please, who were present at this meeting as far as you can recall?

The WITNESS. Bolza Baxter, who was assigned to LYL as it chairman, Louis Baxter, William Van der Does, Howard Falk, Paul Simon, Jack Moscou, Marilyn, alias, Molly Baumkel, her husband Sherwood or Jerry, Ted Karpell, Jimmy Zarichny, James.

[1] Max Trachtenberg, now employed in Detroit, is under subpena to appear before the committee.

[2] Joyzelle Shore Trachtenberg was formerly secretary to Len De Caux, when the latter was editor of the CIO news.

Mr. TAVENNER. You have already stated to what organizations those persons were assigned with the exception of Paul Simon and Jack Moscou.

The WITNESS. Jack Moscou was assigned to YP, and Paul was taken completely out of youth work and assigned to trade-union work. Then there was Ted Karpell who was assigned to YP, Jimmy Zarichny to a factory branch, and I believe it was Chevrolet. George Fox was assigned to his group branch to be active in the trade-union movement. Martin Trachtenberg was assigned to his shop branch to be active in the trade-union movement. Phyllis Trachtenberg was assigned to the LYL. Paul Joseph, Jr. was assigned to LYL. Marvin Engel was assigned to LYL. Erwin Holland, YP.

Mr. TAVENNER. If any of the persons who have been mentioned by you have withdrawn from the Communist Party for any reason, and that fact is known to you, you should state it.

The WITNESS. Erwin Holland was a member of the Communist Party assigned to YP. However, he terminated his associations with the Communist Party and later joined the Army and later was sent to Korea and saw action, and as far as I know right now, he is not a member of the Communist Party.

Zigmund Israel was assigned to LYL. He was later inducted into service. Then there was Geneva Borod. Her name at that time was Geneva Olmsted. She was assigned to LYL. Then there was Hank Birdsell, Henry, known as Hank. He was assigned to LYL. I think that is just about the bulk of the membership at that meeting at the farm in September 1949.

Mr. TAVENNER. Were there any special qualifications considered in assigning persons to one group or the other; that is, to the Labor Youth League or the Young Progressives?

The WITNESS. I mentioned some of them earlier, and that was whether they were residents of Flint in that division there. Some of the people had worked with the YP at the time of the Wallace campaign and were assigned to YP because they were active in this particular work, either in New York or in Michigan. The YP was to assume a different role than the LYL, as I have explained before. Its members were younger. They were to work with the students in Flint. Some of them were more sociable in that they had more organizational ability in social affairs.

The crux of the whole situation right here is that the Young Progressives were a non-Marxist group, but they were given the understanding that they should develop young Marxists out of this group, to develop enough progressiveness within the YP to bring them over to the LYL, and from the LYL there would be few, perhaps very few, would become young Marxists. In other words, the level of the political progressiveness of a person determined what organization they went into. There were other considerations also, but this was the primary function.

Mr. TAVENNER. Were any Communist Party functionaries present at the meeting of September 1949 which you have been describing?

The WITNESS. Yes. There was a Jack Gore. He was the chairman, State chairman, of the youth, and John White, known as Jack White, who was the local functionary, chairman.[1]

[1] Jack (John) White, former chairman of the G. M. Communist Club in Detroit, was at this time chairman of the Flint section of the Communist Party, District No. 7. Now residing in Detroit, he is currently under subpena.

Mr. TAVENNER. How were the assignments made which you have described?

The WITNESS. They were read from a list, and Jack White read them.

Mr. TAVENNER. The assignments, therefore, had been determined prior to the meeting and without the membership having any voice in the making of the assignments?

The WITNESS. Yes, they were determined prior to the meeting. However, the group was asked if they agreed. Naturally everyone agreed.

Mr. TAVENNER. What type of functionary was Mr. White?

The WITNESS. Well, as far as I understand, he was the chairman of the Communist Party for Flint and the northern section.

Mr. TAVENNER. The northern section of the Communist Party?

The WITNESS. Well, it was the northern section of Michigan. I mean, he had Flint which was the biggest city, but I believe that he also contacted other people in Saginaw.

Mr. TAVENNER. Who was the leader of the Labor Youth League?

The WITNESS. In Flint?

Mr. TAVENNER. In Flint.

The WITNESS. Bolza Baxter. Bolza was elected chairman of the Flint Labor Youth League in Detroit, Mich., in June of 1949. At that time I was not a member of the Communist Party, but I was invited to a meeting which was held on Joy Road.[1] I do not know the address. Later, after a few persons congregated, we were instructed to go to another meeting place. I don't recall what this meeting place was except that it was a church. There were approximately 75 to 100 persons at this meeting.

Various aspects of the organization of the LYL were discussed pro and con, what the function of the LYL would be, as I have described previously. This was a State meeting of the LYL, organization of the LYL. This was a direct result of the May meeting which I have described previously that was held in Chicago on the north side. The September meeting was a result of this June meeting.

I might state on record now how I was invited to this meeting and why I was permitted to attend it I cannot fathom because it was apparent and very apparent that there were no non-Communists there, but I was there.

After everyone had congregated, the doors were closed and guards placed at the doors, and the meeting was called to order.

Mr. TAVENNER. This was a meeting of the Labor Youth League, organizational meeting?

The WITNESS. It was an organization meeting.

Mr. TAVENNER. Of the Labor Youth League?

The WITNESS. Yes.

Mr. TAVENNER. Proceed, please.

The WITNESS. As I have stated before, the various aspects of the youth groups were discussed, and it was pointed out how important the Flint area was in the progressive movement. It was pointed out that Flint was one of the first cities to organize in the trade unions, and with the proper approach and with proper leadership, the potential was great. The person who could be best fitted for this task and

[1] 2705 Joy Road, Detroit, Mich.

who was a Negro was Bolza Baxter. It was pointed out that the chairmanship should be assumed by a Negro because of the oppression of the Negroes, and it would clearly indicate that the Labor Youth League, a Marxist-Leninist-Stalinist organization, clearly was a friend of the Negro people of Flint.

So therefore Jack Gore was assigned as State chairman, and Bolza Baxter was assigned as the Flint chairman of the Labor Youth League.

Mr. TAVENNER. Was the functioning of Communist Party members discussed at this meeting?

The WITNESS. Yes, they were. The Communists—and this is a difficult thing to explain—were to function within the organizations in which they were assigned. If a person was assigned to the LYL, he would function within the realms of the LYL. He would be a Communist first and always; his ideology, his way of life, his organizational ability within the LYL would remain on a Communist pattern, but the LYL was not considered a Communist organization, and it was never to be considered a Communist organization, but the leadership were Communists, had intended to be Communists, and they were to give direction to the people that were not Communists within the LYL.

Basically the LYL was considered a Marxist-Leninist organization and a working class organization, but the Communists within the LYL were to function as Communists within that organization, but this does not mean that all of the membership of the LYL were Communists.

Mr. TAVENNER. After becoming a member of the Communist Party did you learn whether or not the officials of the Labor Youth League were in fact members of the Communist Party?

The WITNESS. Yes, the leadership of the Labor Youth League were in fact and for all purposes members of the Communist Party. The officers of the Labor Youth League were always elected Communists. The meetings were such that because they took the initiative, they would naturally be elected as its officers.

Mr. TAVENNER. Will you describe to the committee, please, how the Labor Youth League functioned?

The WITNESS. I have described before the purpose of the LYL as a Marxist-Leninist-Stalinist young people's organization. The LYL's purpose was a militant one. They were to assume a working class role. For instance, the LYL would not concern itself with obtaining student rights to dance at the IMA, but the LYL was to concern itself with procuring potential high school students who were potential factory workers to join the organization to obtain higher wages or to distribute handbills or to picket for them. Their motives were to be classically a working class motive.

The Labor Youth League's role was to recruit young people of a working class background. They were not interested in procuring memberships from sororities, from church groups, who were not in sympathy with them, but with church groups who had a congregation of working class background. The Labor Youth League was to attract these young persons, not through literature directly, but through a broad social and cultural program.

For instance, they would have a dance. At this dance they would have food, possibly beer, and they were to publicize that the Labor Youth League would be having a dance. When the dance occurred

and everyone was in good spirits, someone would make a plea for the defense of the current Communist on trial, and these people would have their first initiation from most loquacious and eloquent speakers of the martyrdom of the Communist on trial.

After the dance they would be invited to a class which would be held every Wednesday night in which various social problems would be discussed, such as the liberation of the Negro people, strikes, war and peace, unemployment, and et cetera, et cetera. These classes would not be based on an intellectual basis. They would be brought down to the level of understanding of the persons attending them. Very often they would go off on a tangent when a Communist would forget himself and become "too Marxist", but they always had their little hands slapped when this occurred.

It was through these classes that many persons joined the LYL, feeling that there was something to offer because of the interest of this particular organization in the problems of everyday life.

Mr. TAVENNER. To what extent, if any, were these meetings planned and organized in advance by members of the Communist Party?

The WITNESS. The educational classes were publicized, and enrollment blanks were sent out that there would be a discussion, for instance, on Negro rights. Negro young people would be invited to attend. It was assumed that the known Communists would attend the meeting along with the non-Communists who had just come to the meeting out of curiosity, or perhaps they were just free that evening or a friend of theirs was attending. The classes would start out simply by saying to perhaps a young Negro who was attending, "Do you think that you have full Negro rights under the Constitution of the United States? After all, in the Constitution"—they would use this—"it says life, liberty, and justice for all. Do you think that you have justice?"

The answer would usually be in a negative phrase because the young student would not know how to answer it. Understandably he couldn't say yes, and understandably he couldn't very well say no. He didn't know why the question was being asked.

Then a young Negro comrade would say, "Well, I don't think I've got my rights. I am not paid as much in the shop; I am not upgraded in the shop. They will make one a foreman that hasn't been working there as long as I have. I can't live on the same side of the street as the white people. I don't think I have my rights. Do you think you have yours?"

Then naturally the young Negro student would say no. From this line of questioning there would be other subjects entered into the discussion such as, "What do you think of the Ku Klux Klan?"

Naturally they would disapprove of the Ku Klux Klan.

"What do you think of a lynch mob?" Naturally they would disapprove of a lynch mob. In all of these lines of questioning in these educational classes it was very, very hard for the student to say no. The questions were so simple and yet so complex that they had to say, "Well, I agree." This would immediately put them on the affirmative to the discussion and make them more receptive.

Before you knew what would happen, the solution to the question was Marxist, and most generally the young Negro students would agree to the Marxist solution to the question. All in all the Communists controlled the educational classes because they had the answers. There

was no give and take because if a young student happened to disagree, there were many young Communists that were only too numerous and only too willing to show him how he was wrong. The young student would be outnumbered.

Mr. TAVENNER. Who were the principal leaders in the Labor Youth League who took charge of these educational meetings, or so-called educational meetings?

The WITNESS. Bolza Baxter, Louis Baxter, Howard Falk, Marvin Engel.

Mr. TAVENNER. You have identified each of these persons as members of the Communist Party?

The WITNESS. Yes; I have.

Mr. TAVENNER. Did the shop workers attend the same classes as the other persons you have described?

The WITNESS. Well, they had what they call a shop branch of the Labor Youth League. These were second shift workers who could not attend in the evening. Their chairman was Marvin Engel, and they would meet at LYL headquarters, and their educational classes were similar to the ones held in the evening. I assume that they had quite a bit of membership. I think it was about 22 young shop workers that would meet.

Mr. TAVENNER. In these various discussions was the Korean war issue presented?

The WITNESS. Yes, and I want to go on record as saying right now—and when I heard it, it made my stomach turn—when the State chairman of the LYL visited Flint, the Korean war was in progress and our American boys were fighting so desperately and not being able to move because of the various political aspects, and the Chinese moved in on them, there was glee, and Jack Gore, the State chairman, made this remark: "When we push them right back, we will push them right back into the sea, and they will drown them all." They said that they would show them when they were pushed back, when the UN forces were pushed back into the sea, and when the Chinese Reds got the planes, they'd blast the hell out of the whole business and maybe blast the hell out of the UN, too. That is what he said.

Mr. TAVENNER. This is a good place to stop.

Mr. CLARDY. Let us recess at this point. We will adjourn until 7 o'clock.

(Thereupon, at 5:36 p. m., the hearing was recessed, to reconvene at 7 p. m. of the same day.)

EVENING SESSION

(At the hour of 7:15 p. m. of the same day, the proceedings were resumed, Representative Kit Clardy being present.)

Mr. CLARDY. Proceed, Mr. Tavenner.

TESTIMONY OF WITNESS X—Continued

Mr. TAVENNER. Will you continue with your statement with reference to the attitude taken by the Communist Party on the issues of the Korean war.

The WITNESS. Ideologically the Korean war presented quite an issue to the Labor Youth League. Feelings ran high. Generally the

non-Communist membership did not like to side in with the Communist feeling on the Korean situation. There was a natural repulsion against any force which hindered their own brothers. However, the Communist faction of the Labor Youth League were often able to plant seeds of doubt as to the reason for the war, pointing out that it was a war of the manufacturers, a war of profit, and a war to stop depression, which would have been a natural sequence in a capitalistic form of government.

How far they succeeded to this end I have no way of ascertaining, as anyone has no way of ascertaining what seeds are planted in a person's mind or when they will bear fruit, but I am sure that some damage was done.

Throughout Marxist philosophy the Communists have always determined that the capatilistic form of government needs war in order to perpetuate its own aims because it is such a decadent system of politics, because it only seeks gain for the advantage of a few, because it is a selfish philosophy—it can only be successful through bloodshed; therefore, when the capitalists, the munitions makers, the manufacturers, the Du Ponts, the Rockefellers, call the Communist Party a party of force and violence, the Communists maintain that it is only because they use force and violence, and this was perpetuated through the Korean war—quote—"What better example of force and violence than the Korean war?"

It was pointed out that after the Second World War the economic situation in the United States had a terrible setback, that if it had not been for the Korean war there would have been a depression far more terrible than the one that the country suffered in the thirties. The Americans perpetuated the Korean situation through the name of the United Nations to save themselves.

Very often a nonmember of the Communist Party would ask if the Russians also were not aggressors because of the manner in which they were solving the situation in their occupied countries in Europe. It was always brought out that the U. S. S. R., the Soviet Union, did not have the same incentive that the United States had; that the U. S. S. R. was a democratic force. If the argument should happen to continue, or the person questioning had enough foresight to continue to badger away, he again suffered the painful monopoly in the meeting. It was always brought out that the U. S. S. R. was the people's country, a dictatorship of the proletariat. Never during these discussions did the Communists say that there was no dictatorship in Russia, but they always pointed out that there was a dictatorship of the proletariat.

The Korean situation was likened to a small war, and it was generally pointed out in these educational forums that there was no need for war, but it was unlikely that there would have been no war. The capitalists and the Communists would always be at crossed swords, but the capitalist, through its own folly, would cause its own plunder, that when the people really became politically informed—and it was up to this Marxist organization to see that they were politically informed—that there would be this utopia of the dictatorship of the proletariat.

Mr. TAVENNER. Were there any situations under which the Labor Youth League made contributions directly or indirectly to the Communist Party?

The WITNESS. What kind of contribution do you mean? Do you mean a financial contribution?

Mr. TAVENNER. Financial contribution.

The WITNESS. That is a rather hard question to answer, and this is not factual information, but just hearsay. I want that to be on record. The Labor Youth League was a separate organization in that it functioned financially on its own. The dues that were taken from the members were used to support Labor Youth League activities.

However, they also were given to the State chairman very often, and what he did with them I don't know.

Mr. TAVENNER. The State chairman of——

The WITNESS. Jack Gore, the State chairman of the Labor Youth League. However, the contribution that they made theoretically to perpetuate the aims of the Communist Party were very fruitful.

Mr. TAVENNER. You have stated that various Communist Party members were assigned to the Young Progressive organization. What is the distinction between the Young Progressives and the Progressive Party?

The WITNESS. The YP, the Young Progressives, and the Progressive Party were two separate and distinct organizations. All Communist Party members automatically joined the Progressive Party. The Progressive Party was considered—and I suppose is still considered—a workingman's party, a leftish party, and that it was their duty and their obligation to become a member of it.

The history of the Progressive Party is well known. It originated at the time of Henry Wallace's campaign for the presidential elections in 1948.

The Young Progressives were not of voting age. The Progressive Party is a party of voters, with its proper place on the ballot and its candidates et cetera, that are considered a regular political party apparatus. The Young Progressives did not function in the same way the Progressive Party did at all for the simple reason that the Progressive Party was concerned primarily with political issues, and the YP were considered as primarily concerned with educational issues which could not be voted on, although they would oftentimes lend a hand with political issues, but on a nonvoting basis.

Mr. TAVENNER. Did the young Communists who were assigned from the youth group of the Communist Party to the Young Progressives occupy positions of leadership in much the same manner as in the Labor Youth League?

The WITNESS. The organization of the YP was slightly different than it was with the Labor Youth League, but the Communist faction in the YP assumed just about the same relationship to the organization as the Communist leadership did in the LYL. They were the organizers of the club and helped perpetuate Marxist conception to the youngsters.

You must remember, however, that the YP was more of a social group than the LYL, bringing out this fact always, that the Labor Youth League was a Marxist-Leninist-Stalinist organization, and the YP was not.

Mr. TAVENNER. Will you tell the committee, please, how the Young Progressives operated?

The WITNESS. I was not a member of the YP. I only know how they operated through discussions. I did not see it in action too much.

The Young Progressives worked with individuals within the schools. They worked with individuals within their own club.

Mr. TAVENNER. Did you receive at any time an assignment as a Communist Party member to work within the Progressive Party?

The WITNESS. Yes, I did.

Mr. TAVENNER. Will you tell the committee about that, please?

The WITNESS. Shirley Foster was president. Lloyd Dantzler was treasurer, and the other Communists had various duties, and usually the primary function of the Progressive Party was taken over by the Communists.

Mr. TAVENNER. Were you acquainted with a person by the name of Morton Leitson?

The WITNESS. Yes, I was.

Mr. TAVENNER. Was he known to you to be a member of the Communist Party?

The WITNESS. I have never met Mort Leitson in a Communist Party meeting.

Mr. TAVENNER. Did you at any time have a conversation with him regarding the question of his Communist Party membership?

The WITNESS. At various times we would discuss the Progressive issue, the political issue, and from his answers it could be concluded that he was most sympathetic to Communist ideology. At one time he did state to me that he was a member of the Communist Party while he was a law student at the University of Michigan. However, the dates I do not recall.

Mr. TAVENNER. In what profession or occupation was Mr. Leitson engaged?

The WITNESS. Attorney at law.

Mr. TAVENNER. Do you know whether there was a professional cell or group of the Communist Party in Flint, Mich.?

The WITNESS. I do not know if there was a professional cell in Flint. I do know for a fact that the professional group in Flint were not to consider themselves Communists; they were not to be active in the same capacity as other Communists, that they were to play an entirely different role. They were to integrate themselves on a left Marxist level because of their associations within the bar et cetera.

Mr. TAVENNER. The committee has received a great deal of evidence indicating that in professional groups the membership was kept secret from rank and file members of the Communist Party. But I wanted to know whether or not you knew that there was such an organized group in Flint, although you may not have known the names of any of the members.

The WITNESS. You mean if I know that there was such a group?

Mr. TAVENNER. Yes.

The WITNESS. I do not know if there was such a group.

Mr. TAVENNER. Will you tell the committee to what extent the Communist Party, through its members and acting as a party, projected its influence and the issues in which it was involved into the Progressive Party?

The WITNESS. I will try to answer that question to the best of my ability. The leadership of the Progressive Party after the Wallace campaign was primarily a Communist one. Now, if the leadership of the Progressive Party was a Communist one, wouldn't it stand to

reason that many of the objectives of the Progressive Party following the presidential campaign in 1948 would be endorsed by the Communist Party. Now, some of the issues that the Progressive Party had, such as the Korean situation, unemployment, farm-subsidy program, the question of Negro rights, the defense of the Communists, were very parallel in essence to the thinking of the Communist Party.

Mr. TAVENNER. Did the Communist Party members caucus separately and act upon the programs in advance of their presentation to Progressive Party meetings?

The WITNESS. Mr. Tavenner, they almost didn't have to really because, you see, they would come from a Communist meeting or have these issues definitely determined in their minds and what would happen is that they would go to a Progressive Party meeting and just expound the same theory only with slight variation from Marxism.

There is a definite difference. There is an explanation of Marxism in theory, but you can twist it around in phraseology and use it in a progressive way and call it Progressive Party business. It is really quit a simple operation to do. The issues that were solved in the Communist Party meeting would just go right into the Progressive Party meetings, that is all. It needs no further elaboration as far as that goes.

Mr. TAVENNER. Did Jack White hold any position in the Progressive Party at that time?

The WITNESS. None whatsoever.

Mr. TAVENNER. Did he hold any position in the Communist Party?

The WITNESS. Yes, he did.

Mr. TAVENNER. What was that position?

The WITNESS. Organizer for the Flint area.

Mr. TAVENNER. How did the Progressive Party raise funds to conduct its campaign?

The WITNESS. Through parties which were usually held at the Pioneer Hall, through picnics, and various social private affairs.

Mr. TAVENNER. Were the sums raised by those methods and by donations substantial?

The WITNESS. I would say they were substantial, yes.

Mr. TAVENNER. You have told us who was the treasurer of the Progressive Party, but I do not recall the name.

The WITNESS. Lloyd Dantzler for a period of time, but it was very haphazard type of acting as a treasurer.

Mr. TAVENNER. I believe you have testified that he was also a member of the Communist Party, have you not?

The WITNESS. Yes, I did.

Mr. TAVENNER. Do you know what disposition was made of the funds raised by the methods you have described?

The WITNESS. Yes, I do.

Mr. TAVENNER. Will you tell the committee about that, please?

The WITNESS. Well, very often when these affairs were held they were quite lucrative. There were always a great many Communists attending these affairs, and the money that was taken in was used for obtaining literature and supplies, but I know for a fact that there must have been more money taken in than was actually stated on the books and that was used for supplies and literature, and it is my supposition on good ground that some of it went to the organizer of the Flint area.

Mr. TAVENNER. The organizer of the Communist Party?

The WITNESS. Yes.

Mr. TAVENNER. Do you know whether any sums raised for the Progressive Party were turned over to State leaders of the Progressive Party?

The WITNESS. Yes, they were.

Mr. TAVENNER. Were any of the funds turned over, to your personal knowledge, to any members of the Communist Party who were not officials of the Progressive Party?

The WITNESS. On a State basis?

Mr. TAVENNER. On any basis.

The WITNESS. Just some of it that was turned over to the organizer of the Flint area.

Mr. TAVENNER. Who was the organizer in the Flint area?

The WITNESS. Jack White.

Mr. TAVENNER. Did you, while a member of the Communist Party, engage in activity in any other mass organizations at the direction of the Communist Party?

The WITNESS. Yes, I did.

Mr. TAVENNER. What were those organizations?

The WITNESS. National Association for the Advancement of Colored People, Civil Rights Congress, Michigan Committee for the Protection of the Foreign Born, National Negro Labor Council.

Mr. TAVENNER. The committee has received evidence indicating that the Communists were not successful on a national scale in infiltrating the NAACP; they were generally unsuccessful. Was this true of the Flint area?

The WITNESS. I would say that in Flint they were generally successful.

Mr. TAVENNER. Will you tell the committee on what you base your statement?

The WITNESS. There were certain people assigned to work within the NAACP. Everyone that was a progressive was instructed to join the NAACP, but there were certain individuals assigned to work within the youth groups of the NAACP. These people were Louis Baxter, Dorothy Moscou, Geneva Olmsted Borod and Murray Olmsted Borod and other members of the Progressive Party such as Morton Leitson and Hanny Leitson and Barry Blassingame, Shirley Foster and Howard Foster, Chuck Shinn. All of the Communists were instructed to be very active in the NAACP and to support its program. At meetings they would very often introduce resolutions that were to further the Communist aims, and very often they were successful.

Mr. TAVENNER. Do you have any extensive knowledge of the operations of the Communist Party within the Civil Rights Congress?

The WITNESS. I know that the Civil Rights Congress is dominated by the Communists. I know the Civil Rights Congress is a Communist organization.

Mr. CLARDY. Do I understand you were a member, but not active in it?

The WITNESS. They wanted me to start a chapter in Flint, but I didn't have the time.

Mr. TAVENNER. Will you tell the committee as nearly as you can what the strength of these various organizations was at the peak period which we have discussed; that is, the Labor Youth League, the Young Progressives, and the Progressive Party?

The WITNESS. There was a membership in the Labor Youth League of about 102 in number. There was a membership of the YP of about 54. The Communist Party had about 87 or 88, and in the Progressive Party at its peak period, 500.

Mr. TAVENNER. That is, in Flint?

The WITNESS. In Flint.

Mr. TAVENNER. Do you know how the work within the Labor Youth League in Flint compared with the work of that organization through the State generally?

The WITNESS. The Labor Youth League of Flint was considered the most successful and militant league in the State of Michigan. Very often Jack Gore, State chairman, would commend Flint for the excellent job that was being done. Very often they would cite Flint as an example as what could be done with groups of people. This success was attributed to Mr. Baxter—that is Bolza Baxter—and his militant leadership.

The Labor Youth League in Flint was the only one that had its separate headquarters, was the only one that maintained a separate office, and it was financially very successful, often contributing to the State Labor Youth League.

The Labor Youth League in Flint was the one that had the most constructive educational program, the most constructive social program, and the most successful in its membership per ratio of the population of Flint. It was the league that was most often commended for the element of working class youths who were members; a good 70 percent of them or 75 percent of them were factory workers, and a good majority were young Negro members.

Mr. TAVENNER. Did any local members of the Labor Youth League receive State or National recognition for their services?

The WITNESS. Yes, they did.

Mr. TAVENNER. Will you tell the committee about that?

The WITNESS. Bolza Baxter received State and National recognition.

Mr. TAVENNER. In what form?

The WITNESS. He was later appointed State chairman.

Mr. TAVENNER. Do you know whether Bolza Baxter attended any training school of the Communist Party at any time?

The WITNESS. Yes, he attended the Jefferson School of Social Science in New York City. I believe it is located on the Avenue of the Americas.

Mr. TAVENNER. Do you know when he attended the school?

The WITNESS. 1946 or 1947.

The TAVENNER. How do you know that fact?

The WITNESS. He told me.

Mr. TAVENNER. Were you recognized at any time in a similar way for the work that you had done in the Communist Party?

The WITNESS. Yes, I was sent to the Jefferson School of Social Science.

Mr. TAVENNER. When did you attend the school?

The WITNESS. 1950.

Mr. TAVENNER. How long were you in attendance?

The WITNESS. Three weeks.

Mr. TAVENNER. Why was it the Communist Party sent you to this school?

The WITNESS. They wanted to develop me.

Mr. TAVENNER. For what purpose?

The WITNESS. So I could be a better Marxist.

Mr. TAVENNER. Will you tell the committee in your own words, please, the type of training you received at that school?

The WITNESS. When I arrived at this school, I was introduced to Doxey Wilkerson who was educational director of the school, and to Howard somebody or other who runs the thing. I was given the privilege of attending the class of Negro history, economics, political economy—let me put it this way: Because of my classification, I was permitted to sit in on three other classes, one of which was Marxism and culture.

Mr. TAVENNER. Were you called upon at any time to give the school or any class at which you were in attendance a description of trade-union problems at Flint?

The WITNESS. Yes, I was.

Mr. TAVENNER. Were other students called upon to give similar experiences from the areas from which they came?

The WITNESS. No.

Mr. TAVENNER. Were you given any courses of instruction other than in the classroom that you have described?

The WITNESS. Yes, I was.

Mr. TAVENNER. Would you tell the committee about it?

The WITNESS. Well, I was taken to a demonstration by one of the comrades in New York City, and I never knew the comrade's real names in New York, incidentally, except my instructors. You either called them by a pseudoname or you called them by their first name. This Puerto Rican was given the assignment of taking me to this demonstration. I believe it was for Rosalie Ingram, and we were to walk down Eighth Avenue, I guess, by the Village, either in pairs or singly, about six feet apart and we were to walk about a four-block area, and then we were to walk a little faster until we saw the comrade in a red polo shirt, and when we saw him turn, we were to go into a slight trot, walking quite rapidly, and by the time he reached a certain store front or place of designation, we all congregated together and then started the demonstration.

Mr. CLARDY. They all converged from different angles?

The WITNESS. Yes, and when we all met, we were in the center.

Mr. CLARDY. Then what you would have would be columns approaching a common spot from different angles and different streets converging on the one place.

The WITNESS. You know how the streets in New York go this way [indicating].

Mr. CARDY. I do, down in the Village particularly.

The WITNESS. They don't go around, but they go this way, but then they would meet, like some would go down an alley. I can draw you a diagram better.

Mr. CLARDY. You are describing it all right. Let me recapitulate for a moment. As I understand it, when the demonstration gets under way, the individuals are strung out on each of the streets for a distance of 4 to 5 blocks, and then they close ranks gradually until the very last minute they get into almost a run until they get right at the point where everybody meets everybody else.

The WITNESS. Yes, that is correct, and then when we all met, and we were to have this demonstration by shouting and producing placards, within a 10- or 15-minute lapse the police were to come on horses and this was to be expected, and we were instructed to let the horses get near us but to duck either under the legs, so that the observers were thinking that the police were coming at us, and then we were to go under the legs and duck in a doorway and then away.

Mr. TAVENNER. What was the purpose of making it appear that you were ducking under the legs of the horses?

The WITNESS. That there was police brutality.

Mr. APPELL. And that the horses were running you down?

The WITNESS. Yes. If anyone took a picture, then it would look like that.

Mr. TAVENNER. Were you taken on this demonstration as a part of your course of training?

Mr. APPELL. Did they tell you you might have to use this same tactic in Flint?

The WITNESS. Yes, at some time in the future.

Mr. TAVENNER. What were the names of your professors?

The WITNESS. Herbert Aptheker and George (———)[1] political economy, and John Howard Lawson.

Mr. TAVENNER. Did you learn the names of the students in attendance at this school?

The WITNESS. Not very many, no.

Mr. TAVENNER. Would you give us the names of those you do remember?

The WITNESS. No, I can't give you those names. But I know that some of them were sent from out of town, too, and one of them was a schoolteacher from New Britain, Conn.

Mr. TAVENNER. What arrangements were made at the school for lodging?

The WITNESS. I boarded with a comrade who worked in the school.

Mr. TAVENNER. Do you know her name?

The WITNESS. Her first name is Winnie. I never did learn her last name.

Mr. TAVENNER. In the early part of your testimony you told us of the Young Communist group which was disbanded at the time you were assigned to work in the Labor Youth League. After that time were you assigned to any group or unit of the Communist Party?

The WITNESS. Yes, I was.

Mr. TAVENNER. What was the name of the group?

The WITNESS. Community Club, CP.

Mr. TAVENNER. How many community clubs were there in Flint, if you know?

The WITNESS. One.

Mr. TAVENNER. How many belonged to the club?

The WITNESS. Nine.

Mr. TAVENNER. Will you give the committee their names, please?

The WITNESS. Bolza Baxter, Louis Baxter, Nadine Baxter, Lola Van der Does, Shirley Fox, Bruce Widmark, Pauline Widmark, Elsie White, but she never attended a meeting, and Mary Foster, Joy Trachtenberg, Phyllis Trachtenberg, Max Trachtenberg, Betty Thomas,[2]

[1] Full name not remembered by witness.
[2] Mrs. Al Mayen.

but she moved back to Detroit before the meetings were really in session.

Mr. TAVENNER. Do you know Betty Thomas' present name?

The WITNESS. Mayen.

Mr. TAVENNER. Who were the officers of the neighborhood group?

The WITNESS. Shirley Foster, Phyllis Trachtenberg, and Louis Baxter. That is as much as I can remember. If I remember it correctly, Shirley was chairman, Phyllis was the treasurer, and Louis was educational—or it could have been that Phyllis was education and Louis was treasurer, but they were the officers.

Mr. TAVENNER. Was there a section committee or council of the Communist Party?

The WITNESS. You mean within the community branch?

Mr. TAVENNER. Within the Flint area.

The WITNESS. Yes, there was.

Mr. TAVENNER. Who were on that council?

The WITNESS. If I remember correctly, if I recall rightly, Chuck Shinn, Jack White, and Bolza Baxter. These are the three I know.

Mr. TAVENNER. Will you give the committee, please, the names of any other persons in Flint who are known to you to be members of the Communist Party?

The WITNESS. Clive Mayle, he is a member of the Communist Party.

Mr. TAVENNER. Pearl Potter Kelly?

The WITNESS. She is a member.

Mr. TAVENNER. Thomas Kelly?

The WITNESS. He is a member.

Mr. TAVENNER. Casper Kenny?

The WITNESS. He is a member.

Mr. TAVENNER. Were you acquainted with Gerald Seiger?

The WITNESS. Yes, I knew him.

Mr. TAVENNER. Was he a member of the Communist Party?

The WITNESS. Yes, he was.

Mr. TAVENNER. Was Gerald Seiger one of those classified by you as a colonizer?

The WITNESS. Yes, he was.

Mr. TAVENNER. Barry Blassingame?

The WITNESS. Yes, he was.

Mr. TAVENNER. Julius Dantzler?

The WITNESS. He is a Communist.

Mr. TAVENNER. Mary Dantzler?

The WITNESS. She is a Communist.

Mr. TAVENNER. Zina Brandi, now Zina Brandi Haskell?

The WITNESS. Ray's wife? Yes.

Mr. TAVENNER. Richard Fox?

The WITNESS. He is a Communist. He is not from Flint, though.

Mr. APPELL. Where is Richard Fox from?

The WITNESS. Lansing, at the time that I knew him.

Mr. TAVENNER. Martin Glaberman?

The WITNESS. Yes, he is a Communist.

Mr. TAVENNER. You have replied in some instances that these individuals are Communists. By that did you mean were Communists at the time you were in the party?

The WITNESS. Yes, that is right.

Mr. TAVENNER. Did you remain in the community section of the Communist Party during the remainder of the time that you were a member of the party?

The WITNESS. No one remained a member of that group.

Mr. TAVENNER. What happened to the group?

The WITNESS. It was broken up into cells of 3 to 5.

Mr. TAVENNER. What was the purpose of that?

The WITNESS. Well, for security measures.

Mr. TAVENNER. When did that take place?

The WITNESS. The latter part of 1951, the first part of 1952.

Mr. TAVENNER. Where did this small group to which you were assigned hold its meeting?

The WITNESS. Oh, various places; sometimes in the home of Shirley Foster, sometimes in automobiles. It depended on the meeting place.

Mr. TAVENNER. Who were the other members of your group?

The WITNESS. Louis Baxter, Gene Baxter, Shirley Foster, and myself, and part of the time Nadine Baxter who was at one time married to Bolza.

Mr. TAVENNER. How did you receive Communist Party directives and literature while you were in this group?

The WITNESS. The directives came to the chairman who was Shirley Foster, and the literature was brought to us by Bob Lukes.

Mr. TAVENNER. Did any other person besides Bob Lukes serve as a contact with your group?

The WITNESS. Yes, Martin Trachtenberg who was on the Flint section committee.

Mr. TAVENNER. When was the last time that you saw him in the party?

The WITNESS. The last time I saw him in the party was when he came to one of our branch meetings which was in April of 1952. He came to give us a directive.

Mr. TAVENNER. What was the nature of the directive, if you recall?

The WITNESS. He asked that anyone who did not have the stamina, who did not have the steel within him as Stalin was named steel be given an opportunity to get out of the party as the party did not want to have anyone but persons who were as steel as Stalin was named steel.

Martin Trachtenberg was the organizer at the time and had taken the place of the organizer who had left, was directed by Detroit to go to all of these cells and convey his message. He was instructed to tell the people of the party of the critical period to come, that the United States Government was going to lose the Democratic election and that the Republicans were going to be elected and that the activities of the various investigation agencies such as the Un-American Activities Committee would be more prominent, and this sum and total was to be a period of fascism just as the Reichstag fires were started. The fires in the United States were starting, and fascism would be the role before socialism, that anyone who didn't have the stamina to fight them, the party was giving them the alternative to get out. Everyone at the meeting decided to stay in. There was going to be an assessment of $20 which everyone was to pay according to their ability. They also said that the color red was a beauti-

ful color, but that blood might flow and that blood was also red. He also said if anybody's blood is yellow, then they should get out.

Mr. TAVENNER. How long after that was it that you terminated your membership within the party?

The WITNESS. Shortly afterward.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. CLARDY. I want to thank you and let you know that the committee appreciates the very great help that you have given to us.

That concludes tonight's session, and we will adjourn at this time.

(Whereupon at 10 p. m., the hearing was adjourned.)

INVESTIGATION OF COMMUNIST ACTIVITIES IN THE STATE OF MICHIGAN—Part 8

(Flint)

WEDNESDAY, MAY 12, 1954

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Flint, Mich.

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 9:36 a. m., Supervisors Room, Courthouse, Hon. Kit Clardy (acting chairman) presiding.

Committee members present: Representatives Harold H. Velde (chairman of the full committee), and Kit Clardy (presiding).

Staff mmebers present: Frank S. Tavenner, Jr., counsel; Donald T. Appell and W. Jackson Jones, investigators; and Mrs. Juliette P. Joray, acting clerk.

Mr. VELDE. The subcommittee will be in order, please. Before commencing the hearing, may I say to the good people of Flint, the good people from the State of Michigan, that I certainly appreciate the welcome that I received here in the city of Flint and the State of Michigan. I have been in the State of Michigan many times, caught a few of your fish here and have done a little hunting in the great State of Michigan. I have also driven several of the cars that are manufactured here in the great city of Flint and in the city of Detroit.

I have also had one repossessed.

I do recognize, however, that I do not know as much about subversive influences and the Communist Party here in the State of Michigan as does my very good colleague, Mr. Clardy, who is a very able Representative in the Congress of the United States.

So, therefore, due to the fact that last year, almost a year ago, I believe it was, I appointed you as chairman of the subcommittee to handle the hearings here in the State of Michigan, I am now turning the gavel over to your own good Representative in the United States Congress, Mr. Clardy.

Mr. CLARDY. Thank you, Mr. Chairman.

Due to the fact that probably many of you who will appear as witnesses here today did not attend the hearings we held at Detroit and at Lansing, there are a few announcements that I think should be made, the customary ones that Mr. Velde makes when the full committee is meeting or when a subcommittee of which he made himself chairman presides.

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The third member, incidentally, Mr. Moulder, who had to leave for Washington on committee business, will not return, but we expect a third member to be with us for tomorrow and the next day if they complete some of their assignments that they are undertaking in Washington at the present time.

One thing that we wish to emphasize is that during the progress of the hearing we want you to remember that this subcommittee is an arm of the Congress of the United States and that we must have and must maintain absolute quiet throughout the proceedings. There will be no demonstrations of either approval or disapproval at any time during the progress of the hearings. The rules under which we operate have been pretty widely publicized, but one or two points should be emphasized before we commence. Every witness appearing before our committee under our printed rules is permitted to be accompanied by counsel. Counsel, of course, is to restrict himself to advising his client on his constitutional rights if the witness desires such advice.

If any witness desires to have a motion made and filed—and one of the attorneys handed us a series of motions dealing with each of the several witnesses who will appear—those motions may be filed with us, and they will be given consideration and disposed of immmediately.

No witness, however, who takes the stand will be permitted to commence with a statement. After he is sworn and after he has answered questions—and by "answered" I mean answered and not refused to answer on the grounds of the fifth or other amendments—if, after he has done the answering, he desires to have a statement pertinent to the issues, he will be permitted to make that statement.

If he does not answer questions, at no time during the progress of the hearing under our rules is it permissible for any statement to be made by such witness.

A great many other questions will arise as we go along, but practically every situation has been anticipated and covered by the rules, and if any one of the witnesses has any question at any time during the progress, the witness, not counsel, may address that question to the Chair, and we will endeavor to resolve it.

Mr. VELDE. Mr. Chairman.

Mr. CLARDY. Yes.

Mr. VELDE. Before going further, I think the record should show that I have appointed Mr. Clardy as chairman of the subcommittee, myself as a member, and with Mr. Doyle of California as a member of this subcommittee. We expect that Mr. Doyle will be here later on in the day or possibly tomorrow.

Mr. CLARDY. Now, with that, Mr. Tavenner, are you ready to call your first witness

Mr. TAVENNER. Yes, sir.

Mr. CLARDY. You may do so.

Mr. TAVENNER. Will Mrs. Beatrice Churchill come forward, please.

Mr. CLARDY. You do solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. CHURCHILL. I do.

Mr. CLARDY. You may be seated. While we are getting ready for her to testify, there is one other thing, perhaps, I should note. If,

during the progress of a witness' testimony, he has no desire to be photographed, he need only make the request of the committee, and his wishes will be acceded to. However, until after he has been sworn, the photographers may take such photographs as they desire.

Proceed, Mr. Tavenner.

Mr. TAVENNER. What is your name, please?

TESTIMONY OF BEATRICE CHURCHILL

Mrs. CHURCHILL. Beatrice Churchill.

Mr. TAVENNER. Mrs. Churchill, it is noted that you are not accompanied by counsel.

Mrs. CHURCHILL. I am not

Mr. TAVENNER. It is the practice of the committee to advise all witnesses that they have the right to have counsel with them if they desire, and the right at any time during their testimony to consult counsel. Do you desire to proceed without counsel?

Mrs. CHURCHILL. Yes; that is right.

Mr. TAVENNER. Where do you reside, Mrs. Churchill?

Mrs. CHURCHILL. I live at G–2080 South Center Road.

Mr. TAVENNER. Mrs. Churchill, I believe that at a comparatively recent date you were a witness in the Smith Act trials in Detroit, is that correct?

Mrs. CHURCHILL. Yes; that is right.

Mr. TAVENNER. It appeared from your testimony in the Smith Act cases that you had been employed by the Federal Bureau of Investigation to do certain work within the Communist Party.

Mrs. CHURCHILL. Yes, I have been.

Mr. TAVENNER. Did you act as an undercover agent for the Federal Bureau of Investigation?

Mrs. CHURCHILL. Yes, that is right.

Mr. TAVENNER. Will you tell the committee, please, when you were first consulted regarding such a project?

Mrs. CHURCHILL. I was contacted first in 1942, and I went to open meetings of the Communist Party, and I worked very closely with a Communist by the name of Doc Maddock at the AC local.

Mr. TAVENNER. Will you give us the spelling of the last name, please?

Mrs. CHURCHILL. It is M-a-d-d-o-c-k, and he was a member of the Communist Party, and he very often advised me actually what was going on in these meetings because he worked very closely in the union.

Mr. TAVENNER. Let us stop at that moment to find what the nature of your employment was at that time.

Mrs. CHURCHILL. I worked at AC Spark Plug.

Mr. TAVENNER. In what year was this that you were first interviewed?

Mrs. CHURCHILL. 1942.

Mr. TAVENNER. And you were a member of the local which existed in that plant?

Mrs. CHURCHILL. That is right.

Mr. TAVENNER. What local was that?

Mrs. CHURCHILL. Local 651.

Mr. TAVENNER. Now, will you tell the committee, please, what transpired in connection with your getting into the Communist Party?

Mrs. CHURCHILL. Well, to begin with, I was in the Workers' Alliance which was a Communist front in the early thirties.

Mr. CLARDY. The name again?

Mrs. CHURCHILL. The Workers' Alliance. And I had the position of a committeewoman there. I was working on the WPA project, and I was pretty active at that time, and they knew this because they had been investigating the Workers' Alliance.

Mr. TAVENNER. You mean the——

Mrs. CHURCHILL. The FBI.

Mr. TAVENNER. The FBI knew it?

Mrs. CHURCHILL. Yes. One time when I came home from work in the afternoon, in 1942, some of my neighbors came over and told me that there were two men had been investigating me all afternoon, and they thought they were detectives, and they wondered what I had done, and I commenced to wonder what I had done myself, so along about 11 o'clock that night they came back, and they asked me how I felt about the Communist Party, and I told them that I certainly didn't approve of the Communist Party, and they wanted to know if I would be willing to work with them, and I told them that I would be glad to, and then by working with Doc Maddock very closely, later he got me an application into the Communist Party.

Mr. TAVENNER. You had never been a member of the Communist Party before you were encouraged to work for the Federal Bureau of Investigation?

Mrs. CHURCHILL. No, I had not.

Mr. TAVENNER. Proceed.

Mrs. CHURCHILL. So Doc Maddock got me an application, and it was accepted, and that was the step that got me into the party.

Mr. TAVENNER. What year was it that you actually became a member of the Communist Party for the Federal Bureau of Investigation?

Mrs. CHURCHILL. Well, I thought that was at sometime in 1946, the early part of 1946, but I was advised by Mr. Goodman in Detroit that it was in May 1945. They had the records, evidently.

Mr. TAVENNER. Were you assigned to a group or cell of the Communist Party when you became a member?

Mrs. CHURCHILL. Yes, I was assigned to the AC-Fisher group.

Mr. TAVENNER. Where was that located?

Mrs. CHURCHILL. Here in Flint.

Mr. TAVENNER. Will you describe a little more what the AC-Fisher group meant?

Mrs. CHURCHILL. Well, of course the AC-Fisher group meant that the people—that belonged to the Communist Party, the members of the Communist Party—were formed into the group, and that at that particular time it didn't matter too much how many people were in a group, and so they combined various people throughout the city, and the group I was assigned to was AC-Fisher.

Mr. TAVENNER. How long did you remain a member of that group of the Communist Party?

Mrs. CHURCHILL. Up until the time I was taken out of activity, which was in the latter part of 1950, I believe.

Mr. TAVENNER. What do you mean by "being taken out of activity"?

Mrs. CHURCHILL. Well, our organizer came to me and told me that they wanted to take me out for underground work.

Mr. TAVENNER. We will discuss that a little later. So you were a member of the AC-Fisher group from May 1945 until you went in the underground in 1950, is that right?

Mrs. CHURCHILL. That is right, yes.

Mr. TAVENNER. Did you acquire any position of leadership within the AC-Fisher group of the Communist Party?

Mrs. CHURCHILL. Yes. To begin with, I was the secretary treasurer. Then later I became the chairman of the AC-Fisher group, and group, and then I was appointed or elected to the section committee which is the highest body in Genessee Valley.

Mr. TAVENNER. I think it may be well at this point for you to tell the organizational setup of the Communist Party here in Flint; that is, how the groups were formed, what the section organization meant.

Mrs. CHURCHILL. Well, of course the groups were formed—we had industrial groups, which included Fisher Body, AC, and Chevrolet, and Buick.

Mr. TAVENNER. Excuse me, will you not go quite so rapidly there. What were the industrial groups?

Mrs. CHURCHILL. Fisher Body, AC, Chevrolet, and Buick, and then we had a group which we called the third ward.

Mr. TAVENNER. Now, those were the various groups. Did those groups comprise what is usually referred to as a section of the Communist Party?

Mrs. CHURCHILL. Well, the groups make up the section.

Mr. TAVENNER. Yes. What was the name of the section?

Mrs. CHURCHILL. Saginaw Valley at that time.

Mr. TAVENNER. Was the name changed?

Mrs. CHURCHILL. No, no.

Mr. TAVENNER. Saginaw Valley section of the Communist Party?

Mrs. CHURCHILL. Yes, but during this time, the early part, this Saginaw Valley section included Pontiac, but in 1948 Pontiac was taken out of our section.

Mr. TAVENNER. What section was Pontiac put in?

Mrs. CHURCHILL. Well, I suppose one of their own. I really couldn't say as to that.

Mr. TAVENNER. Will you tell the committee, please, what geographical territory was included within the Saginaw Valley section of the Communist Party?

Mrs. CHURCHILL. There was Flint, Pontiac, Saginaw, Bay City, Midland.

Mr. TAVENNER. Now, with that general description of the organizational setup, let us go back to your recruitment into the Communist Party. Who was the chairman of the AC-Fisher group of the Communist Party when you first became a member of it?

Mrs. CHURCHILL. Doc Maddock.

Mr. TAVENNER. I believe he is now deceased.

Mrs. CHURCHILL. Yes, he is.

Mr. TAVENNER. May I suggest that in the course of your testimony, where you know that a person who was a member of the Communist Party is now deceased, that you not mention their names? There seems to be no point in doing that unless they occupied an official position. If they did, it would be necessary for the committee to know that.

Mr. CLARDY. Mr. Tavenner, let me interrupt a moment. I think it would be well to push your mike a little bit further away from you. There is some feedback which is quite evident up here. Push it away from you a little bit because it is very difficult to hear.

Mr. TAVENNER. I am sorry.

Mr. CLARDY. Proced.

Mr. TAVENNER. Will you tell us the names, please, of other officials or leaders of the Communist Party group, the AC-Fisher group, at the time you became a member of it?

Mrs. CHURCHILL. Well, Harold Wells was the——

Mr. TAVENNER. Harry Wells?

Mrs. CHURCHILL. Harold.

Mr. TAVENNER. Harold Wells. He was the secretary?

Mrs. CHURCHILL. Treasurer; yes.

Mr. TAVENNER. And treasurer. Were there any other officials whose names you can now recall? Let me ask you this first: In identifying various individuals that you may have occasion to identify, I wish you would give the committee all the identifying information you can regarding them. For instance, in the case of Harold Wells, do you know whether he is living in Flint at this time?

Mrs. CHURCHILL. No, he doesn't.

Mr. TAVENNER. May I suggest also that during the course of your testimony that if you have occasion to refer to a person who was a member of one of these groups of the Communist Party, and you have reason to know that they are no longer members, that it would be the fair thing to state it at the time that you mention the name.

Mrs. CHURCHILL. Yes, I believe that is so.

Mr. CLARDY. May I interrupt you again, Mr. Tavenner? I see a number of members of the working press who are supposed to have the front several rows, who are unable to find a place to be seated. Will those who are not members of the working press please vacate their seats and move back so the gentlemen of the press may have the accommodations that we reserved for them, please?

Mr. TAVENNER. May I ask you whether or not those who were members of the AC-Fisher group of the Communist Party were all employees at the Fisher Body plant?

Mrs. CHURCHILL. Well, not necessarily. Some of the members that we had were maybe the wives or the husbands of people that worked in these——

Mr. TAVENNER. Either the husband or wife was a member?

Mrs. CHURCHILL. Yes, yes.

Mr. TAVENNER. Were they also members of your union except in the case of the wife or the husband who may not have been employed in the plant?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. In testifying, I would like you to also tell the committee whether or not any of the individuals whose names you mention as being members of this group of the Communist Party held an official position within their union. Now, in the case of Harold Wells, did he hold any official position?

Mrs. CHURCHILL. No, I don't believe that he did at this time.

Mr. TAVENNER. I believe at the time that you were speaking of there were only two officials of your group.

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. The chairman and the secretary-treasurer.

Mrs. CHURCHILL. That is right.

Mr. TAVENNER. Will you tell the committee, please, about how many people were members of this group of the Communist Party in the period of your early membership?

Mrs. CHURCHILL. Well, I had a list that was given to me in relation to the AC, but a lot of these had dropped out from the party, and I don't think it would serve any purpose to bring them because they never attended any meetings and didn't pay any dues, after I became involved in the party.

Mr. CLARDY. Mr. Tavenner, I think it would be just as well to leave those names out of the record then.

Mr. TAVENNER. The persons who withdrew?

Mr. CLARDY. Yes.

Mr. TAVENNER. Yes, sir.

Mr. CLARDY. I see no useful purpose, in view of the statement by the witness, of bringing in names of people in that category because then it would call for an extended explanation, and we don't care to have anyone named unless we have reason to believe that they were active party members.

Mrs. CHURCHILL. Well, when I contacted these people, the list of names that was given to me to contact because they had been in the party at some time or other, and they told me that they didn't want to remain a Communist, I was very happy not to contact them again, just to mark them off the list.

Mr. TAVENNER. About how many persons were members of the group? What was the approximate membership?

Mrs. CHURCHILL. Well, I think actually the active membership probably comprised about 7 or 8 people.

Mr. TAVENNER. Were those 7 or 8 people to whom you refer active in the work of the Communist Party within the Fisher plant?

Mrs. CHURCHILL. Fisher and AC.

Mr. TAVENNER. Yes, Fisher and AC. Will you give us the names, please, of the active members of that group whose names you can now recall and who are known to you, of course, to have been members of this particular group of the party, of the Communist Party?

Mrs. CHURCHILL. Well, Harold Wells, of course, was active, and his wife, Josephine, was active, although she was not a member of any local or industrial plant, but she often sat in on the meetings, and I have one member that is deceased; you don't want me to mention his name.

Mr. TAVENNER. I suggest you not mention the name.

Mrs. CHURCHILL. Hilliard Parrish, who has dropped out of the party, and Dorothy Parrish, who has dropped out of the party, and Jerome H. Abramik, who was kicked out of the party.

Mr. TAVENNER. When was he kicked out?

Mrs. CHURCHILL. I would say in about 1948 or 1949, early part of 1949.

Mr. CLARDY. How was that process achieved, sort of a drumhead court-martial, more or less?

Mrs. CHURCHILL. Well the fact that he belonged to our caucus at the AC local, and of course the party, as you know, has absolutely no use for a Trotskyite, and during one of our caucuses he was quite

friendly with the Trotskyites, and I found this was my duty to report it to the Communist Party, and they kicked him out of the party.

Mr. CLARDY. Well, now, did they afford him a fair trial on charges preferred, or just how did they go about doing this?

Mrs. CHURCHILL. No, because if they had, I would have been at this trial because I was a member of his cell, or club as we call them.

Mr. CLARDY. Then the moment that he differed with their philosophy, their ideology, he was just summarily removed from the group by the leadership?

Mrs. CHURCHILL. Yes, the organizer advised him of the fact that he was no longer accepted as a member of the party.

Mr. CLARDY. He had no trial, no hearing, no appeal?

Mrs. CHURCHILL. No.

Mr. CLARDY. None of these things that we hear the Communists talk about their being deprived of when they appear before committees of this kind?

Mrs. CHURCHILL. No, he didn't have.

Mr. CLARDY. Proceed.

Mrs. CHURCHILL. And June Garvin, who later became June Thomas, and——

Mr. TAVENNER. Excuse me. I think we should spell those names. Will you spell Abramik?

Mrs. CHURCHILL. A-b-r-a-m-i-k.

Mr. TAVENNER. And Garvin?

Mrs. CHURCHILL. G-a-r-v-i-n. And Edna Blassingame, who dropped out of the party for reasons of her own.

Mr. TAVENNER. Will you spell that name, please?

Mrs. CHURCHILL. B-l-a-s-s-i-n-g-a-m-e, and a Joe Devitt. He dropped out of the party quite some time ago.

Mr. TAVENNER. How do you spell his name?

Mrs. CHURCHILL. That is D-e-v-i-t-t. Those are the people that we had at that time when I was first in the party.

Mr. TAVENNER. Now, in connection with your description of the expulsion of Mr. Jerome H. Abramik from the Communist Party, you mentioned the connection of the organizer with that expulsion. Who was the organizer of the Communist Party in this area at that time?

Mrs. CHURCHILL. It was Jack White.

Mr. TAVENNER. Jack White?

Mrs. CHURCHILL. Yes. At the time that he was suspended it was Jack White.

Mr. TAVENNER. Do you know whether Jack is his correct first name?

Mrs. CHURCHILL. That is the only name that I have ever heard him referred to.

Mr. TAVENNER. Briefly what were the duties of an organizer of the Communist Party?

Mrs. CHURCHILL. The organizer of the Communist Party, of course, receives his orders from the State committee, and he brings it into the section, and the sections discuss the orders that were given to him, and they take them on into the cells or groups.

Mr. TAVENNER. Do you know whether a person by the name of Pearl Potter was one of that early group of the Communist Party?

Mrs. CHURCHILL. Yes, she was.

Mr. TAVENNER. Will you tell the committee what her function was, if you know?

Mrs. CHURCHILL. Well, when I was secretary-treasurer of the AC Fisher group, I took the dues that I collected to Pearl Potter.

Mr. TAVENNER. Over how long a period of time was that?

Mrs. CHURCHILL. Well, that was in 1942–43, I imagine, right around that period, because it was when I first went into the party—I beg your pardon, I mean in 1945–46.

Mr. TAVENNER. Now, do you know what disposition she made of the dues that were collected?

Mrs. CHURCHILL. No, I do not. I know I just took them to her.

Mr. TAVENNER. Did she use another name at any time?

Mrs. CHURCHILL. Well, of course, it was Pearl Potter at that time, but she has now remarried, and her name is Pearl Kelly.

Mr. TAVENNER. Pearl Kelly?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. What is her husband's name?

Mrs. CHURCHILL. Thomas Kelly.

Mr. TAVENNER. Was Thomas Kelly a member of the Communist Party, to your knowledge?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. What group of the Communist Party was he a member of?

Mrs. CHURCHILL. Chevrolet group. He was also a member of the section committee at the time.

Mr. TAVENNER. Now, I think you should tell us at this time how this section committee that you just referred to was set up.

Mrs. CHURCHILL. Well, when I first was taken into the section committee, of course, they advocated women should be active in the Communist Party, and because the AC is predominantly women, perhaps about 78 per cent, they decided that I should go into the section because I was representing AC, and the other members were chosen accordingly, and they comprised a member from each factory, industrial.

Mr. TAVENNER. What were the functions of this section committee?

Mrs. CHURCHILL. Well, the section committee formed the policy for the groups throughout Saginaw Valley or Flint or the other places I have named.

Mr. TAVENNER. Did all of the areas which you described, the geographic areas within the Saginaw Valley section of the Communist Party, have representation on the section committee?

Mrs. CHURCHILL. No, they did not; just Pontiac and Flint.

Mr. TAVENNER. Who, beside yourself, were members of this section committee?

Mrs. CHURCHILL. Well, at that time I was and Tom Kelly, Barry Blassingame, Howard Foster, Bolza Baxter, and myself, and once or twice a couple came in from Pontiac, and one was Murray Borod.

Mr. TAVENNER. Will you give us that name again?

Mrs. CHURCHILL. Murray Borod, B-o-r-o-d, I believe. I am not sure about that spelling, and a lady they just called—they just named her Elsie. They were in only twice, I believe, and then Murray later came from Pontiac to Flint, and he is working here.

Mr. TAVENNER. Did the organizer, Jack White, meet with your group?

Mrs. CHURCHILL. That is right. Often in the section committee it wasn't actually confined to these people, but at times they were just the section committee that were there, but usually he asked other

people into a section committee meeting. It wasn't always confined just to the original members.

Mr. CLARDY. Mr. Tavenner, the name Jack White has come into the proceeding again. While we have mentioned it several other times, this is a new witness talking about him. I want to make it clear again on the record that the Jack White she mentions is not the Jack White of radio fame, of Detroit.

Proceed.

Mr. TAVENNER. You mentioned Howard Foster as being one of the committee members.

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. Of the section committee members.

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. How was he employed, if you know, and from what group of the Communist Party did he come to the committee?

Mrs. CHURCHILL. He is employed at Chevrolet.

Mr. TAVENNER. He represented the Chevrolet group of the Communist Party?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. Did I understand you to mention a person by the name of Barry Blassingame?

Mrs. CHURCHILL. That is right.

Mr. TAVENNER. What group of the Communist Party did he represent?

Mrs. CHURCHILL. From the Buick.

Mr. TAVENNER. Do you recall whether Bolza Baxter was on that committee at any time?

Mrs. CHURCHILL. Yes, he was.

Mr. TAVENNER. What group of the Communist Party did he represent?

Mrs. CHURCHILL. Well, of course probably the third ward, or he was just in there because they felt he was representing the Negro race.

Mr. TAVENNER. He was a person of sufficient leadership and stature in the Communist Party to entitle him to participate in these meetings whether he represented a particular group or not?

Mrs. CHURCHILL. Yes, he was.

Mr. TAVENNER. Who was the Communist Party organizer before Jack White took over?

Mrs. CHURCHILL. A Joseph Brant.

Mr. TAVENNER. Joseph Brant?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. Did he attend any of the committee meetings of the section while you were there?

Mrs. CHURCHILL. Well, yes, I attended some while he was here.

Mr. TAVENNER. Do you know what became of Joe Brant?

Mrs. CHURCHILL. Well, I believe that he went from here to Cleveland, and I understand he is still there.

Mr. TAVENNER. He went there as a Communist Party functionary, did he not?

Mrs. CHURCHILL. Yes, that is right.

Mr. TAVENNER. He is the same Joe Brant, Mr. Chairman, who is now under indictment under the Smith Act in the State of Ohio.

Mr. CLARDY. Mr. Tavenner, before we get too far away from the identification of Bolza Baxter, do you have plans shortly of touching on his LYL connection?

Mr. TAVENNER. Yes, sir; a little later in the testimony.

Mr. CLARDY. Thank you.

Mr. TAVENNER. Were you acquainted with a person by the name of Widmark?

Mrs. CHURCHILL. Yes, I am.

Mr. TAVENNER. W-i-d-m-a-r-k.

Mrs. CHURCHILL. That is right.

Mr. TAVENNER. Do you recall his first name?

Mrs. CHURCHILL. Well, there are two. There is a James Widmark and an Eleanor Widmark, who were very active in the early part of my membership in the Communist Party, but they are now in California.

Mr. TAVENNER. Do you know anything of the circumstances regarding their going to California?

Mrs. CHURCHILL. No, I don't, only they told me that they wanted to get in a different locale. They thought they would be better off and could probably do just as good a work.

Mr. TAVENNER. Just as good work?

Mrs. CHURCHILL. In the Communist Party.

Mr. TAVENNER. In the Communist Party?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. We have been amazed to find the number of people who have been sent out from the State of Michigan to various parts of the country to engage in Communist Party work of one character or another. The hearing in 1952 in Detroit disclosed that Verna McAllister was sent from Detroit to California to engage in Communist Party activities. In a hearing we conducted there about 3 weeks ago we found Verna McAllister under a married name as one of the leading functionaries of the Communist Party at that place.

Do you know where James Widmark went in California?

Mrs. CHURCHILL. No, I don't. I got a Christmas card from them when they first went out there, but I understand they have moved, and I don't know where they are.

Mr. TAVENNER. Was he of sufficient importance in the Communist Party to have served at any time on the section committee of the Communist Party?

Mrs. CHURCHILL. Well, he attended various section committee meetings.

Mr. TAVENNER. Was Eleanor Widmark his wife or——

Mrs. CHURCHILL. Yes, and I would like to make a statement in regard to Mr. Widmark. I cannot say that he was sent out there by the Communist Party because I don't know if it was or if it was his own inclination to move out there.

Mr. TAVENNER. Can you recall at this time the names of any other persons who acquired a sufficient amount of leadership in the Communist Party to have been permitted to attend the section committee meetings of the Saginaw Valley section of the Communist Party?

Mrs. CHURCHILL. Well, you mean in the early part of my Communist——

Mr. TAVENNER. Yes.

Mrs. CHURCHILL. Bob O'Dowd, and his wife, Gladys, attended, and they also moved to California.

Mr. TAVENNER. Do you know anything about the circumstances of their going to California and where they went in California?

Mrs. CHURCHILL. No, I don't.

Mr. TAVENNER. Will you spell the last name, please?

Mrs. CHURCHILL. O'D-o-w-d.

Mr. TAVENNER. Do you recall what group of the Communist Party he represented?

Mrs. CHURCHILL. I believe that Jim belonged to the Buick group.

Mr. TAVENNER. Do you recall what group James Widmark represented?

Mrs. CHURCHILL. No, I don't remember which group he did represent.

Mr. TAVENNER. You stated that there were two Widmarks. I am not certain whether you meant a Widmark other than James or whether you were speaking of James and his wife.

Mrs. CHURCHILL. No, I didn't mean it that way. I am referring to a Bruce Widmark who is now a member of the Communist Party, and he is still in Flint.

Mr. CLARDY. What is the first name again?

Mrs. CHURCHILL. Bruce, B-r-u-c-e.

Mr. TAVENNER. Was he of sufficient prominence in the Communist Party to attend these section committee meetings?

Mrs. CHURCHILL. Well, he probably did attend a few, but Bruce never was too active. He attended some of his club meetings, but I mean as far as his activity went, I believe that all it entailed was attending meetings. I don't think that he was given any assignments like passing out leaflets or anything like that.

Mr. TAVENNER. Do you recall the nature of his employment at that time?

Mrs. CHURCHILL. He worked at the Buick, and he later worked for the city, and then he went into business for himself, I understand.

Mr. TAVENNER. I note that you stated that Bruce Widmark is now a member of the Communist Party. Are you speaking of the present moment or——

Mrs. CHURCHILL. Well, I probably shouldn't say the present moment because I haven't been in contact with him for quite sometime or in the party since 1950. I can only give you the names of the people that were in when I was there.

Mr. TAVENNER. By stating "now," you meant during the period of time that you were in the Communist Party?

Mrs. CHURCHILL. During the time that I was in there, yes.

Mr. CLARDY. I think, Mr. Tavenner, it might be well, and maybe a little reassuring to the witness, to know that we have other testimony dealing with the people she has been naming, so that while I do want it clear that you are speaking only of the period when you were in, we have confirming testimony.

Proceed.

Mr. TAVENNER. Will you tell me whether you can recall the names of any other persons who attended the meetings of the section committee?

Mrs. CHURCHILL. Well, not in the early part. When Joe Brant was the organizer and the early part of Jack White's being an organizer

here in Flint, they didn't have too many that came in. It was later that they brought in these people.

Mr. TAVENNER. Let us wait until later to develop that.

Going back to the membership of the AC-Fisher group, can you recall at this time the names of any other persons who were members?

Mrs. CHURCHILL. Well, we had a man that he got to join the Communist Party by the name of Robert Packer, who was a Negro, and he was a very intelligent person and had a wonderful personality, and he only remained in the party, I would say, for about 3 or 4 meetings. I would think actually he didn't know what he got into, and he very quietly stepped out.

Mr. TAVENNER. Do you think after a short experience in the Communist Party he realized the nature of the organization, and as a result of that got out of the party?

Mrs. CHURCHILL. Yes, I do, because I contacted him several times to try to get him to attend meetings, through orders from the organizer, because they felt they could use him, but he just wouldn't commit himself at all. I mean, he would hardly talk to me, so I had the feeling that he found out that he had gotten into something he didn't know too much about, and then in the AC—do you want the membership now?

We had during that time a Frank Solbodzian as a member of the AC-Fisher group.

Mr. TAVENNER. Will you spell the last name, please?

Mrs. CHURCHILL. S-o-l-b-o-d-z-i-a-n.

Mr. TAVENNER. Now, I think the committee should understand from you just what the chief activities of this group were, the AC-Fisher group of the Communist Party.

Mrs. CHURCHILL. Well, of course our function was to recruit members for the Communist Party and to carry the policy of the Communist Party into the factories. I remember one time—of course we always—at least when I was in the party, and I suppose they still do, because it seems to be something that has been going on right down through the years—we led the leadership of the AC local to believe that we were very much stronger than we actually were at the AC local, and during various times of election we had some of the leaders coming to us and trying to gain our favor so that we could swing the vote or do whatever they wanted, and it was quite a jolt to me because I actually knew there wasn't too much we could actually do about it, only the following that we had or might gain.

Mr. CLARDY. Mr. Tavenner, at this juncture I think it might be well to again bring into the record a sentence or two from the Communist Party directive that we introduced, as you recall, at Detroit, and I refer particularly to this part on page 3, referring to Flint as the key in their effort to take over the industrial plants in the State of Michigan.

At the top of page 3, the last two sentences in the first paragraph, I think they should be read in at this time.

Mr. TAVENNER. Yes, sir. I have the document before me.

This document which the committee recently acquired and introduced in evidence at Detroit last week, known as Johnson exhibit No. 1, is a resolution on concentration for discussion at all clubs, sections, commissions, and departments of the Communist Party. Attached

to it was another document which was the plan of work for the Dearborn auto section.[1]

We have been told by a Mrs. Baldwin that there was a separate plan attached to copies of this resolution from the State headquarters.

Now, we do not have a copy applicable specifically in terms to Flint, except in the sense that Flint is mentioned in the course of the original resolution.

Now, do you know whether a similar document was received in the Flint area?

Mrs. CHURCHILL. No, I do not know. I only know that if it was received, that I didn't see it, but the orders came through about our concentration, and that General Motors was to be a key point of concentration.

Mr. CLARDY. Now, will you read that, Mr. Tavenner?

Mr. TAVENNER. Yes. The resolution, which is virtually a directive from the State level of the Communist Party, has this to say:

> Flint is the key to moving the General Motors division of the UAW, the division which Reuther heads, and therefore the key to striking a powerful blow against social democracy. Whatever develops in Flint has great influence on the entire UAW.

That indicated the serious concern of the Communist Party State organization and the importance which it placed upon the work of the various groups of the Communist Party in Flint.

Continuing at another point, the document states:

> It is therefore clear that we need a drastic improvement in our work in auto, in the first place in our work in General Motors, without in any way curtailing our work in Ford which remains our main concentration point in Michigan's Wayne County.

And I will have occasion to refer to this document later on in the course of your testimony, but——

Mr. CLARDY. I think I might interject at that point, Mr. Tavenner, that since we have gone over this entire Communist directive and have evidence that indicates that it is a continuing directive, as it says on page 4,

> finally, industrial concentration is not a seasonal occupation. It is not a method of work that we will use only for a period of time. It is a permanent method of work.

I think that ties in with what you said, Mrs. Churchill, a few moments ago, does it not?

Mrs. CHURCHILL. That is right.

Mr. CLARDY. Proceed.

Mr. TAVENNER. Now, I am anxious to know what type of activities these various members of the Communist Party who were members of your group and others whom you knew to be members of the Communist Party engaged in in carrying out the main objectives of the Communist Party in this area.

Mrs. CHURCHILL. Well, of course, one of the main things that we did was to try to sell the Michigan Herald. We oftentimes went into localities and sold this paper, and I might add that it was almost exclusive in the third ward.

[1] Johnson exhibits Nos. 1 and 2 were previously introduced in evidence as Schemanske exhibist Nos. 1 and 2, and were printed in full in the record. See pt. 2 of this title, pp. 5116 and 5122.

It seems to get anybody who was willing to go elsewhere in the city outside of the third ward to sell this paper——

Mr. TAVENNER. May I interrupt you there a moment? Were you informed why the Communist Party was so interested in having the Michigan Worker disseminated in the area?

Mrs. CHURCHILL. You mean in the third ward?

Mr. TAVENNER. Yes.

Mrs. CHURCHILL. Well, the third ward is comprised mostly of Negro people, and they were trying very desperately to get Negro people into the party.

Mr. TAVENNER. But why was it important—I mean, were you informed as to what was in the back of the minds of the leadership of the Communist Party in putting so much emphasis upon the dissemination of a paper?

Mrs. CHURCHILL. Well, of course this is their publicity. This is one way they get their publicity out to the people, and they oftentimes, in using the paper, would send reporters into Flint and get notes on everything that went on in the various plants. They would contact the memberships of the various clubs and find out exactly what they do in relation to what was going on in the plants, because this is a means of agitation.

Mr. TAVENNER. May I suggest this as an additional motive: It appears plainly from the document, Johnson Exhibit No. 1, that the leadership of the Communist Party was calling to the attention of the leaders in the sections——

Mrs. CHURCHILL. That is right.

Mr. TAVENNER. And the groups, that too much emphasis had been placed on economism, as they referred to it, and by "economism," that meant the Communist Party was spending too much time trying to develop issues to help the workingmen, to help the locals, that more time should be put upon politicalization, as it was called; in other words, using the locals for the political purposes of the Communist Party.

Mrs. CHURCHILL. Well, they have always done that, to my knowledge.

Mr. TAVENNER. And that is pointed out in this document very clearly, and I suggest that the chief interest in the dissemination of the Michigan Worker was in order to lay less emphasis upon the issues such as wages of labor and more emphasis upon ideology and political accomplishment by the Communist Party.

Mrs. CHURCHILL. Well, the Communist Party has always been interested in the political end; the school board, for instance, and the city commissioner elections, State elections or national elections. They have always worked on these elections.

Mr. CLARDY. Not in order to improve the lot of any of our citizens, but to advance the cause of communism primarily.

Mrs. CHURCHILL. Well, of course, I might say this is a way to become acquainted with more people and to get into more Communist fronts and to engage in conversations with more people because they have a subject to talk on.

Mr. CLARDY. Well, just as the directive says, the Communist Party is primarily interested in promoting anything that will increase its membership and enable it to get a better hold upon the Government

and upon the plants and upon everything else. Has that not been your experience during the time you were in the party?

Mrs. CHURCHILL. Yes, that is right.

Mr. CLARDY. Mr. Tavenner, I think because of two or three things I want to do and also because of the health of our witness, we will take a few minutes recess at this time, five minutes.

(Whereupon, at 10:45 a. m., the hearing recessed to reconvene at 10:50 a. m.)

(Whereupon, at 10:52 a. m., the hearing was reconvened.)

Mr. CLARDY. The committee will be in session.

Proceed, Mr. Tavenner.

Will the folks in the audience remain as quiet as they can. I know it is sometimes difficult, and the acoustics are bad. It sounds really terrible up here in front, so we would appreciate your remaining as quiet as you possibly can, and will those who go in and out of the doors remember that when they slam, it interrupts us quite a little bit. If they will watch that, we would appreciate that also.

Proceed.

Mr. TAVENNER. We were in the middle of the discussion of this Communist Party directive which is the Communist Party speaking to its leaders.

Mrs. CHURCHILL. That is right.

Mr. TAVENNER. Too much importance cannot be placed on the language of this document. I will quote just a few lines to demonstrate that the Communist Party was more interested in using its membership and its organization within industry for the promotion of Communist Party objectives of an ideological nature than it was in doing anything, accomplishing anything, for the individual members of the union.

Mr. CLARDY. Mr. Tavenner, I think you rather understated the proposition. I don't think they are interested in the welfare of the union or the welfare of the members themselves unless that directly contributes to further success of the Communist Party in selling their doctrine that they must overthrow this Government through the use of force and violence.

Proceed.

Mr. TAVENNER. Now, it is important to consider what was being done by Communist Party members pursuant to this directive in light of the provisions of the directive. This is what the directive says:

> The key link to accomplishing our objectives in auto concentration is a forthright recognition of the need to struggle against and overcome strong tendencies of economism—

that means benefits to the members—

> which have weakened our activity. This is a deep-rooted problem of long duration which has plagued us for many years. The recent period has not been distinguished by vigilant struggle against it. Too much of our party work and activity is confined to narrow trade-union issues.

Mr. CLARDY. By that, I think we discover later on and through the testimony, they mean they are worrying too much about getting increased wages and improved working conditions and all that sort of thing and not enough about promoting the real objectives of the party, and that is to disrupt it; is that not true?

Mr. TAVENNER. That is it exactly.

Now, I would like to know, from your knowledge of matters, what type of instructions were given members of the Communist Party in the matter of going out and getting into other organizations for the purpose of advancing the ideology of the Communist Party.

Mrs. CHURCHILL. Well, of course the directive in the Communist Party was to infiltrate into other political organizations, such as the Democratic Party, the Republican Party, and to become interested in any Communist front or any organization which could become a Communist front to further their cause and to put out their propaganda so people would understand exactly what they mean.

Now, for instance, we had an individual who was quite active in the Democratic Party at one time, and although very few people in the city of Flint probably knew that he was an active Communist or was in the Communist Party, he did have a lot of influence in this town, and his name was Casper Kenny.

Mr. CLARDY. He had influence primarily because of the fact that, as J. Edgar Hoover said, he was able to cloak himself with an appearance of respectability and sell Communist ideas because people didn't recognize him as a Communist?

Mrs. CHURCHILL. That is right.

Mr. TAVENNER. Now, you say those were the directives of the Communist Party. Well, did the membership carry out those directives?

Mrs. CHURCHILL. Yes, they did.

Mr. TAVENNER. Now, just to emphasize and to make absolutely certain that that is what the Communist Party intended to do, I will read another sentence which is a conclusion of this whole subject of economism.

Johnson Exhibit No. 1 states:

> The struggle against economist trends has to turn from words and talk to deeds and action. The same organizing genius and zeal for detail, the same alertness which Communist auto workers have learned in helping to organize, build, and defend their local unions, must now be reflected in Organizing—

and that word "organizing" is capitalized—

> the fight for peace, Organizing the fight for Negro rights, Organizing the defense of democratic rights, Organizing to bring the case of the 12 before their fellow workers and local unions.

Those are the things that the Communist Party, speaking of its leaders, says must be emphasized rather than the union issues.

Mrs. CHURCHILL. That is right. For a while the infiltration was primarily in the unions, but they wanted to broaden their scope, so they sent out a directive that people should infiltrate into anything concerning people and public life.

Mr. TAVENNER. Let us at this time consider what some of the infiltration moves were of the Communist Party in Flint. For instance, let me ask you, what about the Labor Youth League?

Mrs. CHURCHILL. Well, we had a Labor Youth League—at the beginning of the Labor Youth League they had quite a few members, and they were able to bring in quite a few youths who were not Communist members, and they held their meetings at one time when they first started up over the Greyhound bus lunch——

Mr. TAVENNER. I do not want to go into great detail about that at this point, but was any specific direction given, to your knowledge, for the Communist Party members to infiltrate and take over the Labor Youth League?

Mrs. CHURCHILL. They were the Labor Youth League.

Mr. TAVENNER. They were the Labor Youth League?

Mrs. CHURCHILL. Yes; its leadership was in the Communist Party.

Mr. TAVENNER. What about the Progressive Party?

Mrs. CHURCHILL. The Progressive Party is a baby of the Communist Party, too.

Mr. TAVENNER. What about the Young Progressives?

Mrs. CHURCHILL. Yes, they are.

Mr. TAVENNER. What about the Civil Rights Congress?

Mrs. CHURCHILL. Predominantly.

Mr. TAVENNER. In all those matters the Communist Party was directing its members to become active pursuant to the provisions of this directive, were they not?

Mrs. CHURCHILL. That is right.

Mr. TAVENNER. We will hear more about that later on from witnesses, I am reasonably certain.

Mr. CLARDY. In other words, Mr. Tavenner, and the witness, what we are saying is that they moved in on every group they could for the purpose of subverting those groups, no matter what it might be, to the ends of the Communist Party.

Mrs. CHURCHILL. That is is right. Do you want me to go into the Progressive Party as it was when I came out——

Mr. TAVENNER. Yes; I think we might do that right at this time, but just one second.

Suppose you proceed with that now.

Mrs. CHURCHILL. The Progressive Party, the last time or when I was in it, or just before I came out of the Communist Party, I might say, when they were breaking up the groups into smaller cells, the directive was that there would be no large social gatherings of the Communist Party, but they could meet socially through the Progressive Party, and the Progressive Party leadership are Communist members, and the Communist—or the Progressive Party's policy was often discussed in the Communist section committee meetings, and we have various people that cannot work in the Communist Party publicly because, after all, their living depends on public approval, but they can work in the Progressive Party because people don't understand that this Progressive Party is the Communist Party actually, and one time we took up a petition to put the Progressive Party on the ballot, and we got the number of signatures that they had to have, and then the State sent in Helen Winter to a section committee meeting at one time, and she said that they had decided to take 200 names from the Progressive petitions to send Communist literature to, so they have a purpose outside of—when they send these petitions out, they have other purposes than to just get the people—get the party on the ballot.

Mr. TAVENNER. Yes, that showed the method of operations to carry out this very directive that we have been speaking of, does it not?

Mrs. CHURCHILL. That is right.

Mr. TAVENNER. Incidentally, was there an occasion where petitions had been prepared for placing the Communist Party on the ballot and then subsequently the petition was used to put the Progressive Party on instead of the Communist Party, do you know anything about that?

Mrs. CHURCHILL. No, I don't.

Mr. TAVENNER. Who within the Communist Party became leaders in the Progressive Party?

Mrs. CHURCHILL. Well, the chairman——

Mr. TAVENNER. That is, persons now known to you to be members of the Communist Party?

Mrs. CHURCHILL. Yes, I know.

Mr. TAVENNER. I think we should avoid the mentioning of the names of any persons who were in the Progressive Party who were not known to you to be members of the Communist Party. It is true, is it not, particularly in the early days of the Progressive Party in Flint, there were persons in the organization who had no connection with the Communist Party?

Mrs. CHURCHILL. Yes, that is true. They had quite a large membership in the beginning, but by the time in 1950 when I came out of the party actually most of the membership consisted mainly of Communist members. At election, sometimes, when they had meetings, they could get people in, if they had a well-known speaker, and they were able to bring in people that were not members, but to actually belong to the Progressive Party, I don't believe they had too many members outside of the—however, I might state this, that they keep a list of the people who belong to the Progressive Party down through the years, and these added names that they took from the petitions all received literature during election times because I know I called the name that I had of a member who had joined the Progressive Party in the early stages, and boy, he really ate me up, because he didn't want any part of that Progressive Party. He said it was nothing but a blind and he didn't want to have anything to do with me or the Progressive Party, and he didn't want any more literature, and he said he had called and called, and they just kept on sending it anyway.

Mr. TAVENNER. In other words, do you mean to say that the list of the membership of the Progressive Party was made available to the Communist Party?

Mrs. CHURCHILL. It evidently was.

Mr. TAVENNER. For its own use.

Mr. CLARDY. That, Mr. Tavenner, brings up a question to mind. You remember at the close of the hearing in Lansing yesterday I had some reference to the circulation by the Communist Party of a little pamphlet and a letter.

Mr. TAVENNER. Yes.

Mr. CLARDY. I wonder, Mrs. Churchill, if you could help me in connection with this. This letter is from the Communist Party, and the document that came along with it was addressed to a friend of mine who works for the Lansing State Journal at Lansing. He, of course, has never in any way been associated with the Communist Party or any of the subversive movements that are Communist fronts or anything even closely akin to it, and I am wondering if you could help us and enlighten us a little bit further on what other means or methods they use to accumulate names to send their literature to, because last night, after coming here, I learned that these very same documents, and the letter, which is signed by William Z. Foster, the head of the party in the country, and Elizabeth Gurley Flynn, and Pettis Perry, a couple of Communists that have been convicted—I am wondering if you could tell us how they get these lists and why on earth they

would, in this instance, have sent this sort of material to a good newspaperman who is a good American, by the way, and why and how they would distribute it among the factory workers here in Flint, as they are doing right now.

Mrs. CHURCHILL. Well, of course that is easy to understand. That is a publicity stunt. They would send it to you, and you wouldn't like it, so you wouldn't keep still about it; you would go tell somebody else, "Look what I got in the mail, look what so-and-so sent me."

Mr. CLARDY. That is precisely what the newspaperman did. He called me in and handed it to me.

Mrs. CHURCHILL. So they might contact somebody who did want to know about it.

Mr. CLARDY. I think in the plants they are distributing them by hand more or less, but I am wondering how they accumulate these names. Where do they go to get them, merely pick up a city directory or take a telephone book or what do they do?

Mrs. CHURCHILL. Well, I know various times that we worked in the Progressive Party on elections, and they chose Communist women to go through the telephone directory and call various people right down the line to see if they had been registered to vote, and if it would be possible that they use a telephone or city directory, or if you are very well known, I happen to know that after I testified in Detroit or—I believe it was before—after I had testified in Detroit, that they sent a little pamphlet up to WFDF, and they gave it to the FBI, and they were calling all the people, of course, that were testifying against these people stool pigeons, and so on and so forth, which of course we are quite used to and probably wouldn't get along without it, but they do this way to bring discredit on people and to get publicity is the biggest thing.

Mr. CLARDY. Yes, we discovered, in connection with the very hearings that we are holding in Michigan, that there was obviously a very carefully laid plan and plot for people under subpena to release information to the newspapers. It is the practice of this committee to never release information about anyone under subpena unless that person first has released that fact. Well, day after day, as you may have observed in the press, first one and then another, at predetermined intervals, were bursting forth into print and talking about the committee and abusing it and doing other things. You had a letter to the editor in the paper last night that also appeared in the Lansing State Journal last Sunday. We had that witness before us yesterday. He was very abusive and took the fifth amendment so many times we lost count. I don't think he set a new high. I think we had one that took it over a hundred times one time, but this would be one that came pretty close.

Proceed, Mr. Tavenner.

Mr. TAVENNER. I believe I asked you to tell the committee who, within the Communist Party became leaders in the Progressive Party?

Mrs. CHURCHILL. Well, the chairman of the Progressive Party at the time that I was taken out of activity, was Shirley Foster, and I would like to clear up a point, if I may have the indulgence of the committee, because there is a Shirley Foster who lives on 12th Street, and Shirley Foster's name has been used before in relation to the Communist Party by other people, and the Shirley Foster on 12th Street is

really getting the works because the address of Shirley Foster wasn't put in the paper.

Mr. CLARDY. In other words, there has been a confusion of identity?

Mrs. CHURCHILL. Yes, that is right.

Mr. CLARDY. Well, at this juncture I think we should repeat something we have said many, many times. If anyone is identified in this hearing by a witness, either wrongfully or otherwise, and desires to be heard and will communicate with this committee, we will be more than happy at a convenient time to both of us to afford them that opportunity, and if anyone feels that there has been a mistake in identity and will communicate that fact to us, we will be very glad to let the world know that that is the fact.

In this case would you give the address, the correct address of the Shirley Foster that you are identifying so that there will be no further confusion?

Mrs. CHURCHILL. The Shirley Foster I am identifying lives on Flushing Road.

Mr. CLARDY. The other one that has been wrongfully named——

Mrs. CHURCHILL. On 12th Street, I understand. I was called on that last night, and she is pretty heartbroken on that, because she said she considers herself a pretty good American and doesn't want to be connected with the party.

Mr. CLARDY. So far as your knowledge goes, she never has been.

Mrs. CHURCHILL. No, she never has been.

Mr. CLARDY. Well, I hope this little episode will clear that up for her, and if anyone else is in the same category, if they will communicate with the committee, we will be glad to afford them that opportunity.

Mr. TAVENNER. Do you know how the Shirley Foster living on Flushing Road was employed at the time she was a member of the Communist Party, to your knowledge?

Mrs. CHURCHILL. Well, she was only a housewife during the time I was in the party, but before that she has told me that she was a schoolteacher.

Mr. CLARDY. Witness, I am afraid that a great many of your sex are not going to like your saying she was only a housewife. After all, that is a pretty important occupation.

Mrs. CHURCHILL. Well, let me stipulate what I mean by that. I think people in the Communist Party, when they are active members of the Communist Party, their interests lie elsewhere.

Mr. CLARDY. That is right. I just didn't want it to appear that either you or the committee thought that being a housewife is unimportant.

Mr. TAVENNER. Activity in the Communist Party has not been very conducive to performance of the normal obligations of the housewife.

Mrs. CHURCHILL. No, that is sort of a minor issue, as long as you have a place to live. If you are an active Communist, you are pretty active, you know; you are pretty busy.

Mr. CLARDY. Yes, if you are an active Communist Party member, you have to devote your entire life, 24 hours a day, to what the party wants, don't you?

Mrs. CHURCHILL. That is right. I know one time, as an illustration, because my health was failing, and I was very often tired because I worked at the AC and was active in the party, I know a couple of

times when I came home I would lie down on the davenport, not turn on the lights in the evening, and turn on the radio for relaxation.

It wasn't too many days before I was asked where I had been those nights by Jack White, who was our organizer. Evidently he had been out to my house one of those nights, and I wasn't there—so he thought—but I told him that if he knocked on the door I probably would have answered. He wanted to know what I was doing. I said I was resting, I was tired. He said, "Couldn't you rest and study Communist literature, and couldn't you read so and so that you were instructed to read at that time? You could improve your time." I was wasting my time.

Mr. CLARDY. What you are telling us then is that the Communist Party has spies and informers and the other class of people that they talk about?

Mrs. CHURCHILL. Yes, evidently they do, because they sure knew what I was doing part of the time.

Mr. TAVENNER. I believe possibly the best way to get at this would be to go back in your testimony. You recall you have testified about the Communist Party membership in the AC-Fisher group. Now, while you were a member of this section committee of the Communist Party, were you afforded the opportunity or required to attend meetings of other groups of the Communist Party which were part of the section?

Mrs. CHURCHILL. I attended 1 or 2 meetings. One was a Buick meeting at the home of Charles Mitchell who lived on Taylor Street.

Mr. TAVENNER. Did you attend meetings of any other group?

Mrs. CHURCHILL. Well, they had Chevrolet meetings at my home because my husband was in the party. After Mr. Churchill and I were married, he joined the Communist Party at my instigation, and he has been very unhappy with me because he feels that I am responsible for getting him into a lot of difficulties because I insisted on him joining the party.

Mr. TAVENNER. Did you induce him to do that in order to be able to carry out more efficiently the task that had been assigned you by the Federal Bureau of Investigation?

Mrs. CHURCHILL. That is right.

Mr. TAVENNER. As a result of which he has been inconvenienced and embarrassed?

Mrs. CHURCHILL. Yes; that is right.

Mr. CLARDY. Was that done, Mrs. Churchill, without his having knowledge of the role you were playing?

Mrs. CHURCHILL. No; I had to finally tell him because, for instance, we were having a breakfast at our house one morning, and it was shortly after we were married, and it was a breakfast of the Communist people, and he went along with me all right to a certain point, but along about 11 o'clock that night before the breakfast, he started packing his suitcase, and I said, "What's the matter with you? Where are you going?" He said, "This is no place for me. I am getting out of here." He said, "If you want to have the Communist people come into your home, that is your privilege, but," he said, "I never did, and I never will." He said, "I am just taking off, and you do what you want to."

Mr. CLARDY. I take it the FBI understood when you had to tell him about that.

Mrs. CHURCHILL. Yes; I had to tell him because it was breaking up my home, and of course the next morning you can imagine the state I was in because I didn't actually know what he would do. I felt I had to watch him all the time. I didn't know if he might erupt during the breakfast or not, but he carried it off all right after I told him.

Mr. CLARDY. That, I think, impels me to say at this time that you certainly did make a considerable sacrifice. The committee, and I am sure the entire Government, appreciates what you have done.

Proceed.

Mr. TAVENNER. Was there a group of the Communist Party in Flint, to your knowledge, known as a professional group or a group that performed the usual functions of a professional group of the Communist Party?

Mrs. CHURCHILL. Well, there was only just one time that the organizer ever mentioned any such thing to me as that, but he said that there were a few people that were secured.

Mr. TAVENNER. That was the purpose in the Communist Party organization in having a professional group, that their names be kept secure even from other Communist Party persons?

Mrs. CHURCHILL. Yes; that is right.

Mr. TAVENNER. So from what you were advised, there was such a group.

Mrs. CHURCHILL. Yes; but I don't think it was large, but I know he did tell me that he had some people that were known as Communists.

Mr. TAVENNER. Who was that?

Mrs. CHURCHILL. That was Jack White.

Mr. TAVENNER. Did you ever meet in a Communist Party meeting at the home of Jack White?

Mrs. CHURCHILL. Oh, yes.

Mr. TAVENNER. Which was attended by a person in that category?

Mrs. CHURCHILL. I attended—there was just one time that one of these people attended a closed meeting, and I couldn't say if he was a Communist member or not, but I know that he attended a closed meeting, and I know that the Communist Party as a rule doesn't let people into a closed meeting unless they trust them pretty much.

Mr. TAVENNER. So you are testifying now only as to what you know?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. And you know that this individual attended a closed Communist Party meeting which you attended at the home of Jack White?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. Can you fix the approximate date?

Mrs. CHURCHILL. No; I can't do that, because it was quite some time ago, and it was—I would say probably in 1948 and 1949, but I am not positive about that.

Mr. TAVENNER. Who was the individual?

Mrs. CHURCHILL. Morton Leitson.

Mr. TAVENNER. Will you spell the last name, please?

Mrs. CHURCHILL. L-e-i-t-s-o-n, I believe. However, I couldn't say that he was a member because I have never seen his card or I never was told that he was a member, but I do know he attended this closed

meeting, and as I said before, you had to be a pretty trustworthy member or pretty trustworthy person, a member or somebody close to the party, in order to attend a closed meeting.

Mr. CLARDY. By that you mean trusted by the Communist Party?

Mrs. CHURCHILL. Yes.

Mr. CLARDY. They don't let just anyone into closed Communist meetings then?

Mrs. CHURCHILL. No; that is right.

Mr. CLARDY. They wouldn't let an investigator for this committee attend if they knew he was such?

Mrs. CHURCHILL. Oh, I am quite sure they wouldn't.

Mr. TAVENNER. I believe you told us a few moments ago that you attended a meeting of the Communist Party group in the Buick section——

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. At the home of Charles Mitchell?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. Will you give us the names of the other persons who were in attendance at that meeting; that is, those that you can recall?

Mrs. CHURCHILL. There was Barry Blassingame, and I believe at this meeting Jim Widmark was there, because this was in the early—before he went to California—and the organizer, and myself, and I don't remember anybody else that was at that meeting. In fact, there wasn't too many members there that night.

Mr. TAVENNER. Do you know whether or not the wives of any of those persons were members of the Communist Party?

Mrs. CHURCHILL. No, I don't, outside of the fact that Edna Blassingame was a member of the Communist Party, but she was not at all active. She did pay her dues until she stepped out of the party, but she never attended any meetings that I know of, and she never was active.

Mr. TAVENNER. Do you recall whether Lloyd Dantzler was a member of that group?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. I believe I asked you whether you attended any meetings of the Chevrolet group of the Communist Party.

Mrs. CHURCHILL. Yes; I had some Chevrolet meetings in my home, Chevrolet Club.

Mr. TAVENNER. How did you acquire knowledge or did you acquire knowledge of the membership of that group by any other method than the attendance of meetings at your home?

Mrs. CHURCHILL. Yes; I got the full list of the Chevrolet membership in 1947, I believe it was, when we had a party for Joe Brant, our former organizer, and I was given this list of membership to contact for contributions for the party.

Mr. TAVENNER. Who gave you the list?

Mrs. CHURCHILL. I think Mrs. Brant, Slyvia Brant, gave me the list. I am not quite sure who gave it to me, only I know that I was given a list of names to contact for this party.

Mr. TAVENNER. Did you contact them?

Mrs. CHURCHILL. I contacted as many as I could, people that I could find, but you understand that there were a lot of people, particularly Negroes, when we were having parties at the Royal Gardens on St. John Street, who would come in and listen to speeches by

various people in the party. I know one time we had Mr. Jackson [1] in, and he touched on the Negro question, and we had quite a few Negro people that came in, and we had some that joined the party, and then when I went to contact these people, I found that some of them had given fictitious names and fictitious addresses.

Mr. CLARDY. Mr. Tavenner, Mr. Jackson has been identified before, but let us get a more full identification.

Mr. TAVENNER. Yes. Can you give us his full name?

Mrs. CHURCHILL. I don't know if I can or not.

Mr. CLARDY. What was the position he occupied?

Mrs. CHURCHILL. Well, he was on the State committee at that time, I believe, and he was educational director, and he came into Flint and gave different talks at various times. He came in to talk on the Negro subject at the Royal Gardens that I am referring to.

Mr. TAVENNER. Do you know whether he is now a fugitive?

Mrs. CHURCHILL. Well, only by what the people in the party say that he is.

Mr. TAVENNER. Do you recall whether his first name is James?

Mrs. CHURCHILL. I don't remember, really. I couldn't tell you.

Mr. CLARDY. I think, Mr. Tavenner, that you had better put a further statement in the record that he is a fugitive from what, while we have had it before, so it will be understood here.

Mr. TAVENNER. He is one of the Smith Act defendants, Mr. Chairman.

Mrs. CHURCHILL. Yes; I knew that.

Mr. TAVENNER. Can you recall the names of any of those whom you got in contact with to attend the meeting in regard to Joe Brant's departure?

Mrs. CHURCHILL. In relation to the Chevrolet I have these names, and as I read them off, I will tell whether I contacted these people or whether they lived at this address or not. There is a Mr. and Mrs. Parrish——

Mr. CLARDY. May I interrupt you a moment? Do you have any other means in addition to that of identifying them as members of the Communist Party?

Mrs. CHURCHILL. Only the people that I will tell you that I talked to and contacted and got money from.

Mr. TAVENNER. Money for the Communist Party?

Mrs. CHURCHILL. Money for the party for Joe Brant, and that we talked about the Communist Party when I contacted them, and I also will tell you if they were active at that time or not.

Mr. TAVENNER. Very well.

Mrs. CHURCHILL. Mr. and Mrs. Parrish, James Smyers, S-m——

Mr. TAVENNER. Excuse me. Did you say what Parrish? I am not certain that I understood you.

Mrs. CHURCHILL. I have their names, but I just have it written here as Mr. and Mrs. Parrish, that live on Chapman Street.

Mr. TAVENNER. If you can identify them by the first names, it will be advisable to do so because understandably there may be other persons by that last name.

Mrs. CHURCHILL. Well, there are quite a few Parrishes, but I am referring to—his name is Uhlard, U-h-l-a-r-d, I believe.

[1] James Jackson, from Detroit, now a fugitive from justice.

Mr. TAVENNER. Did I understand you to say you know the address where this particular Parrish lives?

Mrs. CHURCHILL. Yes. It was G–2171 Chapman Street, and this member was quite active up until just maybe a few years ago, but I would say probably that they were sort of sympathizers because they have come out to some social functions in the Communist Party since they dropped out of activity too much; and this James Smyers, which is S-m-y-e-r-s, who lived at 1812 Liberty Street, was in the party, but he hadn't been too active, and the last few years he hasn't been active at all; and John Thomas, who lived at G–3418 East Atherton Road, and now has another address, was active and has been active right down through the years.

Mr. TAVENNER. What was that name, please:

Mrs. CHURCHILL. John Thomas. He goes by the name of Jack.

Mr. TAVENNER. Proceed.

Mrs. CHURCHILL. And a Michael Uradnicek, U-r-a-d-n-i-c-e-k, who lives at G–3079 Kleinpell Street, gave me money for the party, and he is a member of the Communist Party. However, I do not know about his activity in the party. I know he wasn't too active in the group which I was in; and a Frank Yurasek, who previously lived on Miller Road, but he sold that home, and he now lives elsewhere.

Mr. CLARDY. Spell that last name.

Mrs. CHURCHILL. Y-u-r-a-s-e-k; and then we have a Mr. and Mrs. Hessel Anderson, who lived at 6090 Sunny Avenue, Flushing, Mich.; and Arthur Altimer, who I did not contact. He didn't live there any more, they said; and a Curtis Brooks, who was active, and I have met in his home, 1419 Florida; and we have E. F. Cole—I won't give you his address because he didn't live there; and a Herman Clifton on Liberty, who wasn't at the Chevrolet at that particular time, and he didn't live there any more.

Mr. CLARDY. By that remark you mean they had given fake addresses and maybe fake names?

Mrs. CHURCHILL. Well, I am not quite sure which one, but one of these was a vacant lot, nobody lived there; and an F. D. Dantzler, 1249 Easy. He is active; and a Walter Haywood, 1322 Hickory; and Anderson Hunt, who lived at 810½ Dewey Street, and I had quite a conversation with him. He wasn't active, but he had been a party member, and he gave to the party, gave money for the party; and a Louis Hampton at 1532 Fay Street.

When I contacted this address for Mr. Hampton, they said that he lived at 409 Howard Center or "Ct.," whatever that means, so I went over there, and he wasn't there, and they didn't know where he lived; and a Thomas Kelly.

Mr. TAVENNER. Is he the same Thomas Kelly to whom you referred at an earlier point in your testimony?

Mrs. CHURCHILL. Yes, and he lived at 1733 Mott at the time, but he now has a new address; and Howard Foster, who lives on Chevrolet Avenue, and these are members of the Chevrolet. This was a list that was given to me to contact for the party in 1947, and of course there are names that have been added to that list since.

Mr. TAVENNER. The chairman asked you, near the beginning of the testimony, not to give the names of persons that you could identify in the Communist Party that you know of your own knowledge had withdrawn from the Communist Party. Can you tell the committee

about when it was that most of those persons withdrew from the Communist Party?

Mrs. CHURCHILL. Well, I can't tell you that they did withdraw. I can't tell you if they are still paying dues or not, because I didn't collect the dues for the Chevrolet local, but I didn't see them at any meetings, but you understand that people can belong to the Communist Party and pay dues and not attend meetings. I mean, they will pay dues, and as long as they do, they are members of the Communist Party. I don't know if these people paid dues or if they did not or if they are members and if they are not. At that particular time this list was given to me, they were given to me in faith as Communist members.

Mr. TAVENNER. I think, Mr. Chairman, in light of that statement we should take that testimony in executive session and investigate it further.

Mr. CLARDY. Yes, I quite agree. We will follow the usual practice.

Mr. TAVENNER. Can you tell the committee or give the committee any reason for various persons having withdrawn from the Communist Party who did withdraw? Do you have any special knowledge on that subject?

Mrs. CHURCHILL. Well, yes. I talked to some people that have withdrawn from the party, and in fact I have advised several people who did drop from the party to contact the FBI and get their names cleared because when they told me that when they joined the party that they thought it was another political party that had the workingman's interest at heart, but since they got into the party and found out what it absolutely means, they had no intention of joining a party that would turn against its Government, and they considered themselves Americans; this is their home; this is where they live, and they want to protect their country and they have no intentions of consorting with anybody for the overthrow of this Government, and a lot of them stepped out for that reason, and when they joined the party, a lot of people are ignorant of the policy of the party or what their objectives are, and when they do know, you will find that they don't stay in very long, and people that got in, after they are indoctrinated or beginning to give some of the theory on communism, then they are perfectly willing to get out as quickly as possible.

Mr. CLARDY. And it is exactly that class that we had in mind when we announced earlier that we do not want to spread those names on the record and if any, by inadvertence, do get on the record, if those persons will communicate with us, the committee will do all within its power to make certain that they are cleared as far as it is humanly possible.

Mrs. CHURCHILL. I have tried to contact quite a few people, and while I know that they are out of the party and I have their names—I have contacted these people and asked them their feeling on this, and this is the answer that I have gotten, and I told them that the only way they could clear themselves was going to the FBI and have their name taken off the list. It doesn't belong there.

Mr. CLARDY. You might also tell them to get in touch with this committee because we have extensive files. The FBI keeps some 4 men working 5 days a week all day long at our headquarters in Washington. It will be helpful if they would do that with us also.

Mr. TAVENNER. As a result of the withdrawal of various persons from the Communist Party for the reasons that you have assigned, was there any appreciable effect upon the morale of the Communist Party in Flint or the success of its operations and its undertakings?

Mrs. CHURCHILL. Yes, there was. There was a certain period, even after I was in, there seemed to be no new members coming into the party, and the party wasn't reaching out into the working class like they wanted to do, so we had a lot of talks on this, and nobody seemed—although everybody would promise to go out and organize and bring in new members and so on and so forth, very few did it.

Mr. TAVENNER. As a result of that and as a result of the withdrawal of members did the strength diminish, the overall strength of the Communist Party?

Mrs. CHURCHILL. Yes. We had what we called colonizers sent in to Flint to put new life into the party, and I might say that the colonizers, when they were sent in, most of these people are highly educated people, and not only—some of them are college graduates, and they have had schooling in the Communist Party, and they were very well disciplined, and they know exactly how to work in the Communist Party.

I might state, when they first came in, they classified themselves from the intelligentsia class, and it was difficult for them to get down to a worker's level, to work with the workers.

Mr. CLARDY. You mean they identified themselves as having a sort of a super intelligence?

Mrs. CHURCHILL. Yes, they were just a little bit above the working-class people that they were sent in here to work with. At a meeting at Howard Falk's on North Street, where Mr. Winter was present and Mr. Albertson [1]———

Mr. TAVENNER. Is that Carl Winter?

Mrs. CHURCHILL. Yes, Carl Winter was present, and Mr. Albertson, there was brought to our attention by one of the colonizers, and he said that he felt that they hadn't accomplished what they were sent in here to do because they didn't know the workers' problems like they should know them.

Mr. TAVENNER. They were people then inexperienced in the field of labor?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. But were specialists in the field of——

Mrs. CHURCHILL. Communism.

Mr. TAVENNER. Communism and ideology?

Mrs. CHURCHILL. Yes, that is right.

Mr. TAVENNER. Who was it that made that statement, do you recall?

Mrs. CHURCHILL. Yes, Murray Borod.

Mr. TAVENNER. Murray Borod?

Mrs. CHURCHILL. Yes, that is right.

You see, in the party when you have these meetings, we did have what they call self-criticism, and if you recognize a fault in yourself, or at least you thought you had a fault, and you weren't accomplishing it, then you criticized yourself at certain meetings, self-criticism, and he said that this was one of his failings, that he felt, when he got to the place where he could get absolutely "down to the workers' level"—

[1] William Albertson, convicted under the Smith Act in Pittsburgh, Pa.

they were his exact words, "down to the workers' level"—that then he could accomplish more, but that he wasn't used to this type of work and he just wasn't able to understand their problems yet.

Mr. TAVENNER. Did you know from what section of the country Murray Borod was sent to Flint?

Mrs. CHURCHILL. New York. He worked in Pontiac before he came to Flint, but he came from New York as a Communist.

Mr. TAVENNER. You said that you called them colonizers. Was that a term used by members of the Communist Party in describing persons of this category?

Mrs. CHURCHILL. Yes, that is true.

Mr. TAVENNER. You say you understood that these colonizers were being sent in for the purpose of strengthening the Communist Party here in Flint?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. I would like to refer again to Johnson Exhibit No. 1 in which the Communist Party is now speaking and in which it says:

Many comrades would be encouraged to volunteer to change their jobs to seek employment in large auto plants.

Did these colonizers who came in here from New York and possibly other places go into the industrial field?

Mrs. CHURCHILL. Yes, that is right, they did.

Mr. TAVENNER. Can you give us the names of any other colonizers or persons who were considered by you as functionaries of the Communist Party as colonizers?

Mrs. CHURCHILL. These people, I want to explain, that were sent in as colonizers, were sent in specifically to do a job of organizing in the shops and to bring party policy to people and to strengthen the party and to activize the people that were already in the Communist Party.

There is a Martin and Phyllis Trachtenberg.

Mr. TAVENNER. Do you know where they came from?

Mrs. CHURCHILL. New York, I understand.

Mr. CLARDY. All these colonizers came from New York, did they not?

Mrs. CHURCHILL. Well, there were some exceptions.

Mr. CLARDY. One or two?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. Can you tell the committee, please, where either or both of these people were employed?

Mrs. CHURCHILL. Well, Martin works at the Buick, and Phyllis is a housewife, and when I came out of the party, she was the treasurer for the section of the Communist Party. Max Trachtenberg was in Flint for quite sometime, but he was unable to seek employment, so he went to Detroit.

Mr. TAVENNER. Was he related to the other Trachtenberg

Mrs. CHURCHILL. His brother, I understand, and Howard and Nina Falk.

Mr. CLARDY. What is that last name again?

Mrs. CHURCHILL. Falk, F-a-l-k. Howard works——

Mr. TAVENNER. Do you know where he came from?

Mrs. CHURCHILL. New York. Howard works at the Buick, and Nina was a housewife. I heard that she worked in the drug store, but I couldn't confirm that because I don't know. Ted Karpell came in and was active for quite some time.

Mr. CLARDY. How do you spell that name?

Mrs. CHURCHILL. K-a-r-p-e-l-l.

Mr. TAVENNER. How did he become employed?

Mrs. CHURCHILL. He was employed at Chevrolet. He got into difficulty with the people over at the Chevrolet because they saw that he was passing out pamphlets of a communistic nature, and he was roughed up pretty badly and charged and had a trial, and I believe that he was acquitted, but the people over there painted his car red and hung him in effigy, and so on and so forth, and made it pretty rough on him, so he was quite anxious to leave town.

Mr. TAVENNER. What local union was that?

Mrs. CHURCHILL. 659.

Mr. TAVENNER. 659?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. In what plant?

Mrs. CHURCHILL. Chevrolet.

Mr. TAVENNER. It would appear then that if the rank and file of the unions knew of the Communist Party connections and activities of an individual, he would not be able to accomplish anything.

Mrs. CHURCHILL. That is true. In relation to the union, I would like to state that the unions have Communists in a minority, but these Communists are very well trained and are very fluent speakers, most of them, but the majority of the unions are good American citizens, and they could strengthen our country because they are militant, most of them, if it comes right down to an issue where there is anything at stake, and I believe that if they know who these people actually are—of course there are always rumors going around in a shop. If a person is a little liberal or something like that, he gets the word "Communist" tacked on him, and actually he isn't.

Mr. TAVENNER. Liberalism and communism should not be confused.

Mrs. CHURCHILL. No, that is right, and so a lot of people are called Communists when they are not, and so for that reason I think they are a little precautions about the activity they engage in until they actually find out if they are members of the Communist Party.

There is a William Van der Does, V-a-n d-e-r D-o-e-s, I believe it is. He works at Fisher Body; and a George—I believe it is a George, anyway—Moscou.[1]

Mr. CLARDY. Spell that one.

Mrs. CHURCHILL. M-o-s-c-o-u, I believe.

Mr. TAVENNER. Do you know where he was from?

Mrs. CHURCHILL. From New York, I believe.

Mr. TAVENNER. Where was he employed?

Mrs. CHURCHILL. I am not sure. He is in one of the plants, but I am not exactly sure where he is placed; and a George Fox from Lansing.

Mr. CLARDY. It seems like I have heard of that gentleman before.

Mr. TAVENNER. How was Mr. Fox employed?

Mrs. CHURCHILL. At the Chevrolet.

Mr. CLARDY. I want to interject, Mr. Tavenner, at this point. The statements of the witness concerning the fact that the overwhelming percentage of people in labor unions are good loyal citizens checks exactly with what this committee has discovered in all of the investigations it carried on, but I want to add this to it: Don't you agree also with the committee that the minority, small as it may be, not only in

[1] Further identification reveals that the name intended to be Jack Moscou.

labor unions but in any group, exert an influence far greater than their numbers would seem to warrant?

Mrs. CHURCHILL. Well, that is true because they are militant, and they are active.

Mr. CLARDY. And they have a plan of action, haven't they?

Mrs. CHURCHILL. That is right, and very seldom a union meeting goes by but what they don't interject themselves some way or other to bring the focus on themselves.

Mr. CLARDY. Would you agree with the committee, then, that the disclosure of the names of those who are actually members of the Communist Party, whether it be in the labor unions, whether it be in any other stratum of society, will help destroy their usefulness and enable the right thinking members and other groups to cleanse themselves?

Mrs. CHURCHILL. That is absolutely correct because I don't think that there is any Communist that likes undue publicity, if it is unfavorable to himself.

Mr. CLARDY. They can't stand the hot glare of publicity, can they?

Mrs. CHURCHILL. They just don't like it, because they know that once they become in the public eye and are known as Communists, part of their usefulness is at an end.

Mr. CLARDY. Do you suppose that accounts for the beligerancy and the insulting attitude many of them take when they appear before this committee?

Mrs. CHURCHILL. Well, as far as I am concerned, it probably would, but you can't understand the workings and minds of some Communists.

Mr. CLARDY. Well, you can say that again. It is difficult and has been difficult for me ever since I have been on the committee and I suspect it has been for the chairman, who has been on for a great many years—impossible to fathom the mind of one who would allow himself to join a group dedicated to the destruction of everything we hold dear.

Mrs. CHURCHILL. Because to me when Communists or anybody else, whether it is these hearings or FBI or any other law enforcement, if they get up and declare themselves unapproachable, then I feel that they would be willing to subvert to anything in relation to our Government.

Mr. TAVENNER. Do you recall whether there was anyone in this category of colonizers from Grand Rapids?

Mrs. CHURCHILL. We had a Sapolinski, I believe. I don't remember his first name, but he was killed in an automobile accident on his way home one night, and it is too bad that he didn't use his education, his personality, to better the conditions of his own country than to further the ideology of a foreign country because this boy really had something on the ball. He had a wonderful personality, and he had a unique way of talking to people, and he could have been a real help to his country.

Mr. TAVENNER. Were you acquainted with a person by the name of Jimmy Zarnichny?

Mrs. CHURCHILL. Yes, I have known Jim since he was a little boy. In fact, I had Jim in an organization that we had when the union was first organized. We had what we called a youth organization for the union members, the children of the union members, and Jim was a member of this organization.

Mr. CLARDY. Will you spell that name? We have it, but I would like it clear in the record.

Mrs. CHURCHILL. Well, I think you will just have to be content with the way you have it spelled because I haven't got it here.

Mr. CLARDY. He was at one time a student at MSC?

Mrs. CHURCHILL. Yes, he was.

Mr. CLARDY. And achieved considerable notoriety as a result of his activities over there.

Mrs. CHURCHILL. I think that Jim did, with the help of the party, get a lot of publicity on his case, but I think he felt a little let down because they didn't go further with it.

Jim is a type of person who was very intelligent as an accountant, and I think he could have gone a long way, but he was willing to throw over his career for the party.

Mr. CLARDY. He just took the wrong path.

Mrs. CHURCHILL. That is right.

Mr. TAVENNER. Was he in the category of colonizers or was——

Mrs. CHURCHILL. I wouldn't place him in the category of a colonizer because this was his home.

Mr. TAVENNER. Will you tell the committee a little more about the practice of utilizing these colonizers? When they came, did they immediately take up a position or become active in the Communist Party, or how was that worked out?

Mrs. CHURCHILL. Well, of course when they first came in to Flint, they were secured until they got jobs in industrial plants.

Mr. TAVENNER. What do you means by "secure"?

Mrs. CHURCHILL. They were not even known to most members in the Communist Party because this is top security, we might say, and they received or they got into the industrial plants, and until they received their seniority, a lot of the members didn't know who these people were, and after they received their seniority, then they became active. The first thing, of course, in the unions, and then they joined the various Communist clubs that were attached to the various industries, and from then on, of course, that was what they were supposed to do, but in relation to our local we had one girl that went into activity before she actually knew too much about the local, and the first meeting that she attended she stamped herself as a Communist because she came in, and she attacked the union in relation to the Negro people, and I know conditions are not good as far as the Negro people are in probably most of the unions, but I know that we try, and I know that these conditions have to be changed, but you don't come in and attack your union on something like that that they are trying to correct that we never do anything, that we don't have Negro this and Negro officers because we have had Negro officers in our local, and the next morning after she came in or was to this union meeting, one of the committeewomen approached me and she said, "I see you have a new fellow traveler, a new member." I said, "What do you mean by that?" She said "Who is this Communist that was in the meeting yesterday, this red headed girl?" And I said, "I don't know anything about her. I don't know if she is a Communist or not." I did know, but I wasn't giving her any information. I was a Communist then.

She said, "Well, she is a Communist; we know she is, and we almost threw her out yesterday." And that was the first meeting that she had attended.

Mr. TAVENNER. Who was the individual?

Mrs. CHURCHILL. I haven't given you their names yet, but it is Gerald and Marilyn Baumkel, I believe it is spelled B-a-u-m-k-e-l.[1]

Mr. TAVENNER. How long did it normally take for a person to come in, say, from the city of New York and acquire a position, gain seniority, gain a position in a local union, before becoming a member of the local group of the Communist Party, thereby lifting the security within the Communist Party?

Mrs. CHURCHILL. Well, as far as the people, the colonizers coming in, of course they immediately contacted your organizer, the organizer knows who these people are, and maybe other people in the Communist Party who are fully trusted or people that they feel that they can give this information to, and then they get their job, and of course it depends on how long it takes them to secure a job in the plant before they become known, and they get the seniority in the plant before they are widely known. Sometimes a colonizer being sent in is so anxious to get to work that people around him recognize that he is a Communist before the Communist Party gives him permission to come out as such.

Mr. TAVENNER. Will you tell the committee whether or not these alleged colonizers became active in the affairs of the Communist Party?

Mrs. CHURCHILL. Oh, yes, yes.

Mr. TAVENNER. Can you recall positions of leadership that some of them reach in the Communist Party?

Mrs. CHURCHILL. Well, some of them, of course, became chairmen of their clubs, and Phyllis Trachtenberg became the treasurer of the section.

Mr. TAVENNER. What, in your judgment—excuse me, do you have others in mind?

Did Falk attain any position of leadership in the party?

Mrs. CHURCHILL. He might have in his own club, but I don't know if he did.

Mr. TAVENNER. What was the effect upon the Communist groups within the section and within Flint of the entry of the colonizers into this area?

Mrs. CHURCHILL. Well, I wouldn't say that it was particularly good when they first acme in, because it seemed to me when they first came in there was a sort of factionalism which arose in the Communist Party, which, of course, is absolutely against all Communist theory, but some of the older members were a little bit dubious of these people that were sent in and due to the treatment that some of the older people received from some of these colonizers.

Mr. VELDE. Do I understand you, Mrs. Churchill, to say that the colonizers who were sent into Flint were mostly younger people?

Mrs. CHURCHILL. That is right, they were.

Mr. VELDE. It would be only natural then that the older members here in Flint would resent their coming in to take over.

Mr. CLARDY. Let us date this, too, while we are at it. At about what time did this colonization start?

Mrs. CHURCHILL. Around 1949, I think it was, in the latter part of 1949.

Mr. CLARDY. Continued over some period after that?

[1] Further information reveals that correct name is Sherwood (Jerry) Baumkel.

Mrs. CHURCHILL. Yes. I think, of course, what we must understand, that they sent these colonizers into Flint for this purpose, and if they have an objective of any kind that they want accomplished, at any time, unbeknownst to anybody, they can change their people around. They can send them from locality to locality.

Mr. CLARDY. They have a pretty rigid discipline, don't they?

Mrs. CHURCHILL. Oh, yes, that is true, particularly with the younger people and with these colonizers, they are very well disciplined, but some of the members, I might say, the older members who had been in the party over a period of time, they were pretty lax, and the social functions the party had were predominant in their minds; discipline didn't mean anything to them, but——

Mr. CLARDY. That is the very thing this Communist directive, among others, was crying out against, that there hadn't been the tightening of the lines and the obedience that the party demands.

Mrs. CHURCHILL. That is right.

Mr. CLARDY. Would you say that at the time they sent in the colonizers that the Communist Party movement here was pretty well falling flat on its face more or less and that the colonizers were sent in to rejuvenate it, bring it back into real activity again?

Mrs. CHURCHILL. Well, yes; I would say that because we had in 1948, I believe, an organizational drive in Flint, but it wasn't successful. The party people were very nonchalant; I mean, they just went along. They were members, and that is about all it meant to them, I think, at the time.

Mr. CLARDY. So the colonizers were sent in by the higher-ups?

Mrs. CHURCHILL. Yes.

Mr. CLARDY. To put it back on its feet again?

Mrs. CHURCHILL. We had some members who were very active and very militant, but they were minor, I mean, few.

Mr. VELDE. Mr. Chairman, before we recess, I would like to ask Mrs. Churchill concerning the practice of carrying membership cards. When you first became a member of the Communist Party, of course you had a membership card, did you not?

Mrs. CHURCHILL. Yes, I did have.

Mr. VELDE. And all of the other fellow comrades had?

Mrs. CHURCHILL. Yes; they gave me—because I was chairman of the group, they gave me all the cards for the members that I had in my club.

Mr. VELDE. Do you recall when the practice of issuing membership cards ceased?

Mrs. CHURCHILL. I think around the first part of 1948 or in 1948, I believe.

Mr. VELDE. I think that evidence that we have already had before the committee indicates that that was the date when the national Communist Party issued instructions that no cards——

Mrs. CHURCHILL. That is when they first became quite conscious of the fact that they had to look to the future and their security.

Mr. CLARDY. The year 1948 then, to your knowledge, was the last year in which they issued a card or had a card for a given year, wasn't it?

Mrs. CHURCHILL. That is right.

Mr. CLARDY. Some of those for 1948 were issued in the closing months of 1947 and some of them to new members and others were

issued during 1948, but thereafter that practice was dropped for reasons of security to the party.

Mrs. CHURCHILL. That is right.

Mr. CLARDY. Mr. Tavenner, is this a good point to stop?

Mr. TAVENNER. Yes, sir; this is a convenient place.

Mr. VELDE. May I say, before we recess, to Mrs. Churchill that I concur in the statement made by the distinguished Representative from Michigan regarding your patriotic service. I happen to be a former FBI agent and have spent some 3 years in that organization on Communist activities and as such I contacted many patriotic people who were operating as undercover agents in the Communist Party. I realize very well the terrorism that you went through during your membership as an undercover agent for the FBI, and I am sure that the committee and all American people appreciate the patriotic service that you have rendered.

Mr. CLARDY. We will recess at this time until 1:30, and all those under subpena to appear today will report at that time.

(Thereupon, at 12 noon, the hearing was recessed, to reconvene at 1:30 p. m. of the same day.)

AFTERNOON SESSION

(At the hour of 1:45 p. m. of the same day, the proceedings were resumed, Representatives Harold H. Velde and Kit Clardy (acting chairman) being present.)

Mr. CLARDY. The committee will be in session.

Mr. VELDE. Mr. Chairman, before proceeding. Mr. Tavenner, I would like to make this announcement, that I have been in telephonic communication with Mr. Clyde Doyle, the Congressman from California, who is an able member of our committee. He advises me that he will rearrange his busy schedule and attempt to be here for the hearings tomorrow morning, so that we might have a nonpartisan committee sitting here in Flint.

Mr. CLARDY. And along that same line, I would like to make this observation: Now and then the press or other folks discuss the fact that since there are nine members on the committee, it should be easy to cover a lot more territory than we do. Well, I want to observe that it is pretty difficult to get three busy Congressmen on any hearing any time, even in Washington.

Mr. VELDE. I certainly concur in that observation, Mr. Clardy.

Mr. CLARDY. Proceed, Mr. Tavenner.

TESTIMONY OF BEATRICE CHURCHILL—Resumed

Mr. TAVENNER. Mrs. Churchill, you described for us this morning the effect upon the Communist Party groups in this area of the influx of colonizers, Communist Party colonizers, here. Will you tell the committee, please, now what the effect was upon the local unions, of this influx of colonizers to this area?

Mrs. CHURCHILL. Well, I will start with my local first because, although they are very active in our local, and they are going to a lot of meetings and are interested in things that come up in the local, they haven't been able to get a foothold in our local, and they haven't been able to penetrate our paper.

I know I have gone down to the local union hall with members of the Communist Party to try to get articles in the paper, and they just absolutely refuse; although you might turn something in, and they will acknowledge that they received it, but you never see it in print, and they just don't have a foothold in our local, and the Buick, they are very active there. I have made it my business to get quite a few of their papers, the Buick papers, and I haven't seen too many articles or any articles, as far as I am concerned, in the Buick paper, but the Chevrolet local and its paper—I am talking about the paper because I have had my husband get me papers from the local, and I I have found over the last year or two that they have been able to get things into their Searchlight, articles by members of the Communist Party, and not too long ago there was quite an article by Murray Borod, and this Searchlight paper has been quite viciously attacking the committee, which to me is un-American.

I suppose they have a right to attack anybody they want to, but it is un-American, we know that, and they have penetrated the paper.

Two or three years ago my husband was instructed to write an article and to get it in the Searchlight, and he couldn't get it in, and it wasn't because the article wasn't good, because the organizer used the same article in the State committee and read this article to the State committee, and they commended him very highly on this article, said it was a wonderful article, and I might state, this is one way that they have of using their own people.

When he was complimented on his article, he didn't tell them that he didn't write it. He accepted the compliment, and then one of the party members came back and told us that this article was read and that he was complimented on the article. But I know that they weren't able to get anything into the Searchlight over a period of years until the last couple of years, and they have been able to get articles into the Searchlight, and they have made quite a lot of headway at the Chevrolet, and I believe—of course one thing, they have some of their colonizers and very capable ones were assigned to the Chevrolet, very fluent speakers who could influence a lot of people, and they have, through this national office, designated the Chevrolet as a concentration point for the Communist Party's activities because they feel that the Chevrolet is the backbone of General Motors. It is a feeder plant, for one thing, and it would affect other plants throughout the Nation, and not only that, but they produce more cars at the Chevrolet, and they feel that would hurt General Motors more if this plant had to be shut down at any time, and I feel that out of all the plants in Saginaw Valley, particularly in Flint, I can't speak for Detroit, but I can speak for Flint, that the Chevrolet plant is this plant in which they have done more work and created themselves more of a following than any other plant in town.

Mr. CLARDY. That is what you mean when you talk about concentration. We had some discussion of this on the record at Detroit, Mr. Tavenner, you will remember, but perhaps it would be well for you to have the witness develop for the record here a little bit about the meaning of that term and why they use it.

Mrs. CHURCHILL. When we talk about concentration, we mean that most of our activity is centered on this direct focal point in relation to the passing out of leaflets and the selling of the paper and any activity in relation to any publicity that we can get, we do that; and

here, of course, the mimeograph machine comes in, and they have a mimeograph machine which they use for making leaflets and which is used in any underground work that they have. They don't have to depend on anybody else for any printed material, and they have used this means. I know I sold papers myself at the Chevrolet, quite a few times.

Mr. VELDE. Mrs. Churchill, I am not quite clear about your discussion concerning this Searchlight. Do I understand that that is a Communist newspaper?

Mrs. CHURCHILL. No, it definitely is not. That is the organ of 659, the paper of the local 659, the union paper.

Mr. VELDE. And when you said that the publication—correct me if I am wrong—did you say it contained un-American viewpoints?

Mrs. CHURCHILL. No, it contains usually things pertaining to the local and happenings within the local, and sometimes it contains articles that they think are of interest to the union. That is like certain politicians and things that might have a bearing on the local.

Mr. VELDE. But the idea that you wanted to present to us was that the colonizers attempted to get the propaganda into the Searchlight, control the policy of the Searchlight.

Mrs. CHURCHILL. I am stating that they not only attempted to do it; they have done it. I know for a while that they talked about the AC because it has concentration of women, and the national sent a directive in that there should be some attention paid to the AC, but it never transpired, that it was directly nothing but Chevrolet as far as the concentration point was concerned.

Mr. TAVENNER. I understood you to say that it was apparent to you that the Communists had been more successful in the past 1 or 2 years in getting its propaganda line into the Searchlight.

Mrs. CHURCHILL. Yes, that is right.

Mr. TAVENNER. Do you have any knowledge of your own as to whether or not this was the result of any direction that was issued to the manager or operators of the Searchlight from higher levels in the union?

Mrs. CHURCHILL. Well, the only thing that I can say is that the president of the local and any members of the local paper knew or must have known that these people were Communist, because at one time, particularly the article that I will mention the name, particularly at one time during the layoff of men, due to lack of work, I suppose, a lot of these people were laid off, and we had a colonizer by the name of Murray Borod who was a committeeman, and they laid off all around him until it became established that through people's asking questions, that somebody complained of the fact that he was a Communist, and they went in and found he was, and so they demanded that he be laid off as his turn came up, and he was laid off. They must have known through that action that he was a Communist because this happened before his article appeared in the Searchlight.

Mr. TAVENNER. Now, you have told us that there was a security period during which the colonizers would not affiliate normally with a Communist Party group here, and that that period was usually long enough to enable them to secure seniority rights.

Mrs. CHURCHILL. That is right.

Mr. TAVENNER. Well, why was it important that their Communist Party activities not be known before they obtained their seniority rights?

Mrs. CHURCHILL. Well, of course if these people became known as Communists, they absolutely wouldn't have gotten into these plants, because most of the plants, I don't know what the Chevrolet setup is particularly only they have been lax, but I know that most of the plant's setup, they investigate their people's applications, and unless these people were secured to the point where they were anonymous until they got into the plant, they wouldn't have been able to get into employment in the shop.

(Representative Kit Clardy left the hearing room at this point.)

Mr. TAVENNER. Do you know of any means of deception that were practiced by the colonizers in obtaining employment in such a manner that the employer would not know of their Communist Party affiliations?

Mrs. CHURCHILL. I don't think they did try to practice deception when they first came in, but it became difficult for them to get jobs in the plants after these colonizers became known, and it became known that the colonizers were coming in; then I know of a couple of cases where I was told that they were going to use their maiden names on their applications to try to see if they couldn't get into plants.

Mr. TAVENNER. Do you know of anyone who did use her maiden name instead of the married name in securing employment for the reasons that you have given?

Mrs. CHURCHILL. No, I don't know of any one that got in employment because I think the plants were advised of the fact that these people were going to use this technique to try to get in, and I think they were pretty thoroughly investigated.

Mr. TAVENNER. Can you give the committee the names of anyone you recall who tried to do that, who tried to accomplish——

Mrs. CHURCHILL. I don't know if they tried to do it or not. I know they told me they were going to do it, and that was Nina Falk and Phyllis Trachtenberg.

Mr. TAVENNER. Nina Falk was the wife of whom?

Mrs. CHURCHILL. Howard Falk.

Mr. TAVENNER. Howard Falk?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. What was the Trachtenberg woman's name?

Mrs. CHURCHILL. Phyllis.

Mr. TAVENNER. Phyllis Trachtenberg was the wife of——

Mrs. CHURCHILL. Martin.

Mr. TAVENNER. Martin Trachtenberg. That would indicate, would it not, that the employers have, during a period of time, tightened up their investigative procedures in regard to employment?

Mrs. CHURCHILL. Yes, I think that can be very clear because these people haven't been able to penetrate, and particularly after these colonizers did get in, and they realized what was happening here in Flint.

Mr. TAVENNER. Now you have told us about the rank and file action of the members of your union, indicating strong opposition to known members of the Communist Party. In the light of that I am unable to comprehend the statement as to the ability of the Communist Party to get articles published or propaganda published in the Searchlight in

the last year or two which they were unsuccessful in doing prior to that time.

(Representative Kit Clardy returned to the hearing room at this point.)

Mrs. CHURCHILL. That is a question. I don't understand it myself.

Mr. TAVENNER. You do not have the answer to it?

Mrs. CHURCHILL. No, I do not have the answer. In view of the fact that these people knew, because they had been advised that this man was a Communist when he was a committeeman, and they still accepted his articles for the paper—I don't understand why it was allowed.

Mr. TAVENNER. Was the question of religion made any issue in the functioning of the Communist Party during the period you were a member of it?

Mrs. CHURCHILL. When you joined the Communist Party, if you had any religion, they felt that as you went along in the party and become indoctrinated into their theory, that you would gradually lose your religion as you went along, because they believe in nothing but material things, and they, of course, brag on the fact that they are atheists, and some of the experiences that I had—I talked to our organizer about it, and he told me that people, after they gained more knowledge in relation to the party, they would drop their religion, they wouldn't have to be told to do it, they would just drop it voluntarily after they became indoctrinated into the theory of the Communist Party. I know one time we had a meeting at my home, it wasn't actually a meeting. Mr. Allan, who was the——

Mr. TAVENNER. Was that Mr. William Allan?

Mrs. CHURCHILL. William Allan, of Detroit, who came in for notes for the paper.

Mr. CLARDY. Commonly called Billy Allan in connection with the Worker, the gentleman who was recently convicted at Detroit?

Mrs. CHURCHILL. Yes. He came in one time to get some notes about what was going on in the union so they could put it in the paper, and we were just talking along about these various things that were happening, and without any provocation or any previous discussion about religion, he just jumped to his feet and raised his fists in the air and said he was proud to be the biggest atheist in the party. It floored me because I couldn't see any point in it right then because we hadn't even been discussing religion. They think, of course, that religion is a myth and an opium of the people and is only being used to subject the people and that as you become educated in the Communist Party that it is a drug and that there is no need of God in anybody's life.

During the last year I was in the party they directed some people to enter into some of the churches. I know one of the places, one of the homes that I was working in the Progressive Party, one of the Communist women told me that they had gone into a synagogue, and she came out and described what happened there, and it was a vicious thing because she spoke that it was nothing but a money-grabbing institution, and she spoke about they had to sit on hard chairs because other people had more money than they did, and they could afford to have a cushion in their chair. I couldn't believe this, so I went to one of the Jewish people in town, and I discussed this with him, because not being familiar with the Jewish religion, I couldn't understand this, and he said that wasn't true, but due to the fact that these

people would buy their own chairs because they were building new synagogues all the time, and this was one way they had of furnishing their churches, and some people preferred these chairs. It had nothing to do with——

Mr. TAVENNER. Well, if I understand you correctly, the Communist Party members were advised to go into and become members of churches, not for the bona fide purpose of worshiping God in the manner of their choice, but for the purpose of advancing the cause of the Communist Party.

Mrs. CHURCHILL. That is right.

Mr. VELDE. Mr. Chairman.

Mr. CLARDY. Yes.

Mr. VELDE. I might say, I am sure that the gentleman from Michigan knows, too, that we have a great deal of testimony previously taken before this committee which was substantially the testimony that Mrs. Churchill is now giving, regarding communism and religion.

Mr. CLARDY. Yes, Mrs. Churchill. Isn't it true that all the Communists you knew utterly denied God and religion?

Mrs. CHURCHILL. That is right. They have absolutely no use for it. As they claim, it is an opium and a drug and used by the capitalist system to subject people, to keep them under their thumb; they use this.

Mr. VELDE. In any event, the Communist teaching is to put communism before God.

Mrs. CHURCHILL. That is right.

Mr. CLARDY. They, in their schools of instruction and in their literature, attempt, do they not, to implant in the minds of every member of the party the idea that the Marxian theory of economic, materialistic development is supposed to take the place of religion and that religion and the Communist Party and its doctrines are utterly irreconcilable?

Mrs. CHURCHILL. That is right.

Mr. CLARDY. Proceed, Mr. Tavenner.

Mr. TAVENNER. Mrs. Churchill, I would like to go back in your testimony at this point to your affiliation with your group of the Communist Party and your knowledge of participation in Communist Party activities of other persons and ask you now if you can give the committee the names of any other persons——

Mrs. CHURCHILL. Yes, I have——

Mr. TAVENNER (continuing). Who were known to you to be members of the Communist Party.

Mr. CLARDY. And as you go along, if there are any unusual spellings, if you can, the Chair would appreciate your spelling it out. Of course, if it is a name that is commonly known as Smith, Brown, Jones, or anything of that sort, it won't be necessary.

Mrs. CHURCHILL. There is a Marvin Engel.

Mr. TAVENNER. What is that name, please?

Mrs. CHURCHILL. Marvin Engel.

Mr. TAVENNER. Can you identify him more fully?

Mrs. CHURCHILL. Well, this Marvin Engel was very active and in the party right up until the time I was taken out, and he has been in the Progressive Party, I believe in NAACP, and in the youth leagues.

Mr. TAVENNER. Do you recall a person by the name of Charles Shinn, S-h-i-n-n?

Mrs. CHURCHILL. Yes. He is a member of the Communist Party and was active, and he attended the last year or two that I was in the section committee, and he was quite active, but I might say in relation to him, that the last year I don't think he was too active—the last year that I was in the party, that he wasn't too active, because he had two small children that he was solely responsible for, and he couldn't take on these activities and take care of his children, and he said that his children were much more important than the party and there were times when he went over there that he didn't want to have anything to do with it or talk to us about it because he felt that he didn't want to take a chance on maybe losing his children.

Mr. CLARDY. That person was identified by testimony presented in Detroit, was it not, Mr. Tavenner?

Mr. TAVENNER. Yes, sir.

Mrs. CHURCHILL. And Josephine Wells. I gave you her name this morning, I believe. And Paul Simon; he belongs to the Progressive Party and the NAACP. Geneva Olmsted.

Mr. TAVENNER. Geneva Olmsted?

Mrs. CHURCHILL. Geneva Olmsted Borod, and she ran for treasurer, I understand.

Mr. CLARDY. You are talking about B-o-r-o-d as the last time?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. You say she ran for treasurer?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. You mean treasurer for the State of Michigan?

Mrs. CHURCHILL. Of the Communist Party, yes.

Mr. TAVENNER. On the Communist Party ticket?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. Was that the same year in which Abner Berry ran for Governor?

Mrs. CHURCHILL. I believe it was.

Mr. TAVENNER. For the State of Michigan?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. And Phillip Raymond for the attorney general, and Hugo Beiswenger for the United States Senator?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. All on the Communist Party ticket. Was Geneva Olmsted related to Shirley Olmsted Foster?

Mrs. CHURCHILL. She is Shirley Foster's niece.

Mr. TAVENNER. Niece?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. Very well.

Mrs. CHURCHILL. I have some names that I am not going to mention because they were new members, and I contacted them at their homes, and they were taken in on some of our social parties, and they never paid any dues, and they didn't want to be recognized as Communists.

Mr. TAVENNER. Yes, I——

Mr. VELDE. I believe, Mr. Chairman, that testimony should be taken. However, it should be taken in executive session.

Mr. CLARDY. Yes, if there is any reason in your mind to believe that it would be helpful to the committee, in further exploration in executive session, we will take that up with you later.

Mrs. CHURCHILL. And Charles Mitchell at 422 East Taylor. Walter Slocum.

Mr. TAVENNER. Would you spell the last name, please?

Mrs. CHURCHILL. S-l-o-c-u-m.

Mr. TAVENNER. Can you give further identifying information relating to him?

Mrs. CHURCHILL. Yes, I knew him very well. I worked with him in the Workers' Alliance, and I attended a Communist meeting which was the first one I ever attended which probably was around 1938. They called it the street unit, and Walter Slocum was one of the people who asked me to attend this meeting.

Milton Strutts.

Mr. TAVENNER. Will you spell the last name, please?

Mrs. CHURCHILL. S-t-r-u-t-t-s.

Mr. TAVENNER. Can you give further identifying information relating to him?

Mrs. CHURCHILL. Yes, he has been in my home many times and——

Mr. TAVENNER. Do you mean at Communist Party meetings in your home?

Mrs. CHURCHILL. They had a Communist Party meeting one time, and he was there; that was quite sometime ago, and he asked me if I didn't want to become a Communist member, and at that time he worked at the Buick; and Hilliard Parrish, Dorothy Parrish, Julia Parrish, Delia Parrish, and John W. Pomaski, P-o-m-a-s-k-i.

Mr. TAVENNER. On what do you base your statement that those people were members of the Communist Party?

Mrs. CHURCHILL. I have contacted all these people. I know that they were. I might say in relation to the Parrishes that they are not active, and they haven't been active, but I know that they have attended some social functions of the Communist Party, so I can't say that they absolutely shed the cloak of communism. They are at least sympathetic.

Bud Simon from Fisher Body is not in the Communist Party right at the particular moment, but during the party they had for Wyndham Mortimer and Bob Travis at the CIO anniversary party, I had quite a talk with him, and he said that he would be perfectly willing to go along with the Communists at Fisher Body if they would be a little more secure in their activities, and he was a former Communist and a very active one.

Mr. TAVENNER. Who is this person Bob Travis of whom you spoke?

Mrs. CHURCHILL. Bob Travis was one of the original organizers of the CIO in Flint in 1937.

Mr. TAVENNER. Well, I think we should make the record clear as to whether or not you are indicating by your testimony that he was a member of the Communist Party or not.

Mrs. CHURCHILL. As far as Bob Travis is concerned, I have never seen his card in relation to being a member of the Communist Party, but I know he affiliates with Communist people mostly, and I know that his wife is a reporter for the Michigan Worker.

Mr. CLARDY. The Michigan Worker being——

Mrs. CHURCHILL. Being a paper of the Communist Party.

Mr. CLARDY. It is more or less the Michigan edition of the Daily Worker, is it not?

Mrs. CHURCHILL. That is right, and during this party that they had, it was the Communist people that took up a collection to bring out Wyndham Mortimer of the early organizers from the CIO. I know that some years ago Bob Travis was very highly thought of in this district, and people had a great deal of respect for Bob, but after he began to affiliate and to consort and to chum around with the Communists, he lost most of his prestige.

Mr. TAVENNER. Now, are there any other persons who were active enough in the Communist Party, according to your recollection, whose names you should give us?

Mrs. CHURCHILL. I gave you Thomas Kelly, I believe, this morning.

Mr. TAVENNER. Yes.

Mrs. CHURCHILL. Paul Endicott was very active here in Flint for a while, and a leader of the AYD in Michigan, and Shirley Foster, Howard Foster, Lester Foster, Sr., Mary Foster, Louis Baxter, Curtis Brooks.

Mr. TAVENNER. Do you know who was the wife of Louis Baxter?

Mrs. CHURCHILL. Jean Asselin. Of Louis Baxter?

Mr. TAVENNER. Yes.

Mrs. CHURCHILL. Jean Asselin.

Mr. TAVENNER. Will you spell the last name?

Mrs. CHURCHILL. I believe A-s-s-e-l-i-n, but I am not positive about that.

Mr. TAVENNER. Do you know whether or not she was a member of the Communist Party?

Mrs. CHURCHILL. Yes, she was.

Mr. TAVENNER. Can you tell us anything about her activity in the Communist Party?

Mrs. CHURCHILL. She wasn't too active in the party while I was there. I saw her at the organizer's home, and then she was very active in the Progressive Party and in the youth leagues.

Mr. TAVENNER. Very well. Will you proceed, if there are others.

Mrs. CHURCHILL. Casper Kenny was a Communist, and I don't know if he still is or he still isn't.

Mr. TAVENNER. What was the name?

Mrs. CHURCHILL. Casper Kenny.

Mr. TAVENNER. Will you spell that last name, please?

Mrs. CHURCHILL. K-e-n-n-y, and I think that is most of the names that I have.

Mr. CLARDY. Mr. Tavenner, while you have been progressing, I have been checking up on our listing of publications, subversive organizations, and publications, and I don't know whether you have the document there or not, but on page 140, the Michigan Herald is listed as having been found to be Communist initiated or controlled or so strongly influenced as to be in the Stalin solar system. That was the finding by the California Committee on Un-American Activities, and then we have had some findings of our own since that time.

I bring that up because——

Mr. TAVENNER. Mr. Chairman, since the publication of that document this committee has also found that. It resulted from a hearing that the committee had in Detroit in 1952.

Mr. CLARDY. Yes, I know, but I was going to ask Mrs. Churchill if she knew the Helen Travis she mentioned a moment ago or would recognize her if she saw her.

Mrs. CHURCHILL. Yes, she is in this room.

Mr. CLARDY. Will you turn around behind you and identify——

Mrs. CHURCHILL. She is sitting right in back of me.

Mr. CLARDY. Mrs. Travis appeared before our committee—was it not 1952, Mr. Tavenner?

Mr. TAVENNER. I believe it was earlier than that, Mr. Chairman.

Mr. CLARDY. That was in connection with the Leon Trotsky matter, was it not?

Mr. TAVENNER. Yes, sir.

Mr. VELDE. And as I understand it, at that time Mrs. Travis refused to answer questions on the grounds of the privilege of self-incrimination.

Mr. CLARDY. Oh, yes; that, and as I recall it, several other constitutional amendments.

Proceed.

Mr. TAVENNER. Another of the important directives of the resolution in 1949 which were issued by the State headquarters of the Communist Party of Michigan was the matter of schooling or training on the part of the Communist Party members. Did you attend a school of any character, Communist Party school?

Mrs. CHURCHILL. Yes. We had some schools here in Flint. We had one in May 1947, and we had one in May or in August 1947, I believe, and we had what we called a General Motors school in 1950.

Mr. TAVENNER. Who conducted the first school to which you referred?

Mrs. CHURCHILL. The first school was conducted by Hy Gordon, who was a former professor at Columbia University and became connected with the educational department of the Communist Party in New York City, and the other school was conducted by Dave Fox, and then the General Motors school was conducted by the organizer.

Mr. TAVENNER. By the organizer?

Mrs. CHURCHILL. Jack White, yes.

Mr. TAVENNER. Can you recall the identity of persons who attended those classes with you at either or both of those schools?

Mrs. CHURCHILL. Well, I would like to skip the first school, if I may, in relation to Hy Gordon, because I testified in relation to this in the trial of the six, and they are appealing the case, and I would prefer not to go into that, but in relation to the one of Dave Fox, the school was attended by Harold Wells and Eleanor Widmark and James Widmark and Bob O'Dowd, and myself, and I am not sure, but I think Howard Foster or Shirley Foster was there once or twice, but I don't think they were there continuously.

Mr. TAVENNER. Did you attend any other schools?

Mrs. CHURCHILL. Just the General Motors school. They asked me one time if I would go into New York and attend a school there, and then the organizer came and told me that due to the fact that they would like to have a Negro sent into New York to school, that they would like to send in Bolza Baxter, and so he was sent in my place to New York to school, and then they contacted me later and asked me if I would be willing to go to a school in Cleveland, and they contacted me that one afternoon and wanted me to go in the next morning, and due to the fact that I had a very ill daughter with tuberculosis, I refused to go.

Mr. TAVENNER. What emphasis was placed upon education; that is, Communist Party education of the members?

Mrs. CHURCHILL. Well, of course Communist Party education is one of the most important functions in the party because their theory includes practically everything that has anything to do with your life, your religion, your living standards, and the Government, and education is very important to the Communist Party, and they are continuously putting out pamphlets and studying and bringing in teachers and speakers, and they feel that if you have any moments at all, spare moments, in your home, that you should utilize them by studying out these books and these pamphlets that are put out by the Communist Party, and through the educational departments of the Communist Party and in the cells and clubs, a certain amount of literature is brought into each meeting to be sold or distributed among the people, among the Communist members.

Mr. TAVENNER. You will recall from the paragraph that I read from Johnson exhibit No. 1 that in this struggle against economism, which was directed to be made, that the party was to organize to fight for peace and various other things.

Now, what organizational effort was made by the Communist Party in regard to the so-called peace proposals which they advocated?

Mrs. CHURCHILL. Well, of course, we had the Stockholm Peace Pledge which was a petition for signatures, and we had people working on these continuously, getting signatures on the Stockholm Peace Petitions, and of course whenever a Communist gets an opportunity to talk to anyone who probably is not in accord with the Communist Party, this question of peace is brought up, and they feel that this is one topic that everybody is interested in, and they feel that they can gain some prestige by bringing this word of "peace" up.

Mr. TAVENNER. Naturally everyone is in favor of peace, so they utilized that for its propaganda value.

Mrs. CHURCHILL. That is right.

Mr. TAVENNER. How was the direction of the Communist Party imparted to the members in regard to the Stockholm Peace Pledges and the other efforts in that direction?

Mrs. CHURCHILL. Well, our petitions were brought in from the State by our organizer and distributed to the Communist people to take out, and they also directed us, if we could find anybody that was willing, outside of the party, they would very much like to have non-Communist people distribute this petition, and of course one of their techniques is to get somebody that has a lot of prestige to sign it first, and then they find it is easier to get other people, and very many times when they go out to get signatures for petitions, people don't question these petitions.

Mr. TAVENNER. This committee, through its investigative work of this particular line of the Communist Party in the very early period of its development, issued a pamphlet on the subject advising the public of the nature of it, as a result of which many, many very distinguished people in the United States withdrew their names from the peace petitions after finding out the source of it.

Mrs. CHURCHILL. I know that it got enough publicity in relation to this Stockholm Peace Petition that when the members of the Communist Party went out to get signatures on these petitions very often someone in the district in which these petitions were being taken

around, someone would call the police, and they resented this, and the police would go out and talk to these people with the petitions.

Mr. TAVENNER. In that connection was the subject of peace or war with the Soviet Union discussed within the Communist Party meetings?

Mrs. CHURCHILL. Well, of course they discussed the Korean war when I was in, and they said of course that this was entirely our fault; we had no business over there, and that we would get what was coming to us, and of course now the propaganda was that we were defeated, we lost face in Korea, all through the world, because we were always going around sticking our noses in other people's business.

One time I asked my organizer, Jack White, when there was quite a little propaganda in the United States about shutting down the war plants and so on, and I asked him, I said, What were they doing about this in Russia? Were they still manufacturing war implements? And he said that they had never closed their war plants down, that they were running 24 hours a day.

Mr. TAVENNER. You told the committee in your early part of the testimony that in 1950 the Communist Party groups were broken down into smaller groups.

Mrs. CHURCHILL. That is right.

Mr. TAVENNER. How many were in the group to which you were assigned?

Mrs. CHURCHILL. Not over four.

Mr. TAVENNER. Was that the uniform practice?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. What was the purpose of that action?

Mrs. CHURCHILL. It was for security. In 1948 and 1949 they began to think about going underground and to use methods of security, and they felt that the less that they could have in a club that could function would be better for their security.

Mr. VELDE. What date was that that they decided to go underground?

Mrs. CHURCHILL. Well, they started going underground or talking about going underground in 1948.

Mr. TAVENNER. Do you recall about when you received your assignment to go underground?

Mrs. CHURCHILL. Well, when he talked to me about it, it was about the middle of 1950 or latter part.

Mr. TAVENNER. Mr. Chairman, that has corresponded with the data in 2 or 3 other places as to which evidence has been taken. It was July 1950.

Mrs. CHURCHILL. It was about that time.

Mr. TAVENNER. In San Diego and in Seattle. Who were those assigned to the group with you?

Mrs. CHURCHILL. Well, I had Geneva Borod, Paul Simon, and a Henry Birdsell, and myself.

Mr. TAVENNER. How did you receive instructions or directives from the Communist Party?

Mrs. CHURCHILL. Well, of course I belonged to the section committee, and I received my instructions from them, and very often our organizer would visit the clubs, and here I would like to state that a great many people have been led to believe that the party functions in a democratic way, which of course it doesn't. They get the direc-

tives from the national office, which comes down to a State office, and in turn is taken into section committees, and then it is dispersed through the groups, clubs, or cells, whichever you prefer to call them.

Mr. CLARDY. No deviation is permitted when once the order has been handed down?

Mrs. CHURCHILL. No, that is for sure, and even in our election in the Communist Party they bring in suggestions that are worded very nicely. They say that they suggest that so and so have such and such an office, so you don't question the suggestion. You just go ahead and vote for this individual.

Mr. VELDE. Mrs. Churchill, were you high enough in the party to have any opinion or idea or judgment as to how the Communist Party line was handed down from Moscow to the national headquarters of the Communist Party of the United States?

Mrs. CHURCHILL. No, I didn't. I didn't know anything about it.

Mr. VELDE. There isn't any doubt in your mind, though, I take it, about the fact that it does emanate from Moscow, filters through the top officers here in America, and eventually down to the level on which you operated?

Mrs. CHURCHILL. There certainly isn't, because in relation to that, the reverence in which the leaders in the Communist Party hold these leaders in Russia and the Russian Government, there couldn't be any question about it.

Mr. VELDE. Mrs. Churchill, you were in the party at the time of the Duclos letter, I believe, in 1945.

Mrs. CHURCHILL. I had just gotten in in May of 1945.

Mr. VELDE. I believe it was in 1945 that the Duclos letter was written. Could you give us any information concerning the activities of your local unit during the time that the Duclos letter was being discussed?

Mrs. CHURCHILL. No, I couldn't.

Mr. VELDE. You were too new at that time?

Mrs. CHURCHILL. That is right.

Mr. CLARDY. You weren't far enough on the inside to be taken into the——

Mrs. CHURCHILL. No, they don't take you into confidence until you are there for a while, and they find out if you are worthy or not.

Mr. TAVENNER. Mrs. Churchill, I am anxious to get your opinion about this, or judgment about it: It has been shown to be absolutely fundamental that the Communist Party, in order to attain its long-range objectives, makes recruiting into the party one of its primary objectives, immediate objectives. Now, what is the effect upon that objective; that is, the matter of recruitment, of division of the party into small groups of four for security purposes? What is the effect that that has upon recruiting into the Communist Party?

Mrs. CHURCHILL. Well, I don't believe that it has a very good effect because they can't work as well with the groups of four, because they were instructed not to contact—in our party we were—the members of these groups are not to contact the leaders. They were to give any information they want to find out to the chairman, and he was the only one to contact the leader, or the organizer in the party, and I don't think that actually helped the party any.

Mr. TAVENNER. As a matter of fact, it very much limits the Communist Party in its operations, doesn't it?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. And reduced it more or less to the hard core membership.

Mrs. CHURCHILL. Well, I think you will find that most of the members that are in the party today are hard core members. They are willing to follow discipline and to follow orders without question because I think most of the people got out that weren't willing to go along with this new setup of subversion.

Mr. TAVENNER. May I ask your judgment about this: Was the membership, when segregated into small groups of 4, more or less isolated from close observation of the party as a whole, given a better opportunity to break away from the Communist Party and sever connections with it?

Mrs. CHURCHILL. Yes.

Mr. TAVENNER. Than it would be if they were operated as formerly?

Mrs. CHURCHILL. Yes, that is true; they could break away from the party very easily in these small groups, because they are not watched, only by certain people. That would be only about 4 people. When you are in a larger group, you are having more contact with more people, and more visitation into your home and so on than you would have in your smaller groups.

Mr. TAVENNER. And may I ask you if this is another logical result of the necessity of the Communist Party to resort to these methods, and that is that there is no excuse for young people in universities or elsewhere under these circumstances to be duped into becoming members of the Communist Party?

Mrs. CHURCHILL. No, that is true; there isn't any excuse for anybody staying in.

Mr. TAVENNER. I do not believe that I have asked you what, in your judgment, was the approximate overall membership of the Communist Party in the Saginaw section of the Communist Party. Have you ever had those figures available to you?

Mr. CHURCHILL. Well, not in the overall. In relation to Pontiac I don't know what their membership was there, but in relation to Flint at one time the list I had there was over a hundred members. Of course some of them have dropped out, and some of them have been added.

In Saginaw, Bay City, and Midland the membership was not large. One was 12, and 8, and Midland, I think, had only 3 or 4, as I remember, what they told me.

Mr. TAVENNER. You have described the state of the party here in Flint when the colonizers were sent it. What, in your judgment, would have happened to the Communist Party in this area had that plan not been resorted to?

Mrs. CHURCHILL. Well, I think that probably the party would just have—there might have been a few, but a very few people—that the party would have gone along, but they would have wanted to be called Communists; they might have been active in the shops, but as far as the party proper, I don't think it would be much of a party. It would have just disseminated, that is all.

Mr. TAVENNER. Is there any other phase of Communist Party activities which we have not developed as fully as you think the committee would be interested in hearing?

Mrs. CHURCHILL. Well, I think probably the only thing that I would emphasize is the fact that the discipline that the colonizers are imbued

with, because I know at various times when we have put out mimeographed material, they have worked all night and worked all day, and as long as it was for the cause, they were perfectly willing to spend a few sleepless nights, and I think that the discipline probably of the colonizers, and they are willing to follow orders. I think that some of the older members in the party sometimes questioned soft assignments that they are given and oftentimes they don't carry these out, but you will never find a colonizer questioning anything. They just go ahead.

Mr. TAVENNER. Were you directed to cease the use of the name "colonizer" at any period?

Mrs. CHURCHILL. No, we never were. I might say this in relation to the colonizers, that when they came into Flint, it became known throughout the city that the party was sending in people for the direct purpose of communistic activities; the city became quite concerned as a whole, and the police department became very active in relation to ferreting out these people, and I think they should be given credit for it because nobody knows exactly all the hours and the efforts that were put in by these people and the investigating that they did, and I think there is one other thing I would like to bring out.

During the time that Joseph Brant was here, we formed what we called a women's commission, and this women's commission dealt primarily with the youth question, and we talked about literature for children, and that was small children, not probably in the ages of the teens, I might say. It was below that, and we were trying to find literature which would fit in, and we were advised by the State committee that we had literature for this purpose of indoctrinating the very young into the Communist Party.

Mr. TAVENNER. May I ask you this: There is little doubt about the attitude of the rank and file members of the unions in the various plants you have described as to what their attitude was against communism, but have you, from your experience in the Communist Party, anything to suggest as to what the leadership in the unions might do to rid itself of any possible Communist Party influences?

Mrs. CHURCHILL. Well, I think some of the examples that our leadership in the AC probably used was pretty good because when we went to talk to them, they were very polite to us, but we accomplished nothing. We could get nothing in the paper, and oftentimes when you would go to union meetings we couldn't get the floor. They could see everybody but a Communist, and they simply were just discouraged.

Mr. TAVENNER. We have found the results just the contrary in places where the leadership of the union was heavily controlled by the Communist Party.

Mrs. CHURCHILL. I can only speak for the AC local in relation to this because I am quite concerned about the Chevrolet local. In fact, I called up somebody at the Chevrolet one time when one of their articles came out in the Searchlight, and I asked them if the leadership knew these articles were being printed in the paper, and the party that answered the telephone said, "Well, naturally." So it isn't any ignorance on the part of anybody.

Mr. TAVENNER. Mr. Chairman, I have no further questions.

Mr. VELDE. Mr. Chairman, I would like to clarify the testimony of this very fine witness to ask again how you happened to become a member of the Communist Party in Flint in the first place.

Mrs. CHURCHILL. Well, one reason was because I was very active in the Workers' Alliance, and it is a Communist front, and it was under investigation by the State police and the FBI.

Mr. VELDE. But you actually became a member of the Communist Party at the request of the FBI?

Mrs. CHURCHILL. That is right.

Mrs. VELDE. And you had no intentions of following the Communist ideology or Communist teachings except to do a patriotic service to the FBI and to your country?

Mrs. CHURCHILL. I was quite surprised that they even accepted me as a member in the Communist Party because I am sure that members knew of my antipathy toward the party.

Mr. VELDE. Then you remained in the section that you spoke of until 1950?

Mrs. CHURCHILL. That is right.

Mr. VELDE. If you can, can you tell us how you happened to leave the Communist Party?

Mrs. CHURCHILL. Well, my organizer told me that I was going underground and that he didn't wish for me to attend any more open meetings, but that I was to be nice and speak to and attend meetings of the Progressive Party, and if I would see a Communist on the street, I would pass the time of day with him and be nice to him and so on and so forth.

Mr. VELDE. During the time that you were a member of the Communist Party you did make regular reports to the FBI?

Mrs. CHURCHILL. Yes, I made regular reports until—there was a period that I didn't, and I made regular reports to the city.

Mr. VELDE. Mrs. Churchill, let me say this again, that I personally and on behalf of the committee, and I am sure my good colleague will agree with me, thank you for the very excellent presentation you have made and the information which you have given. I am sure that the people of Flint and the people of the State of Michigan likewise appreciate the terror and qualms of conscience that must have disturbed you during the time that you were a member of the Communist Party as an undercover agent for the FBI.

Mr. CLARDY. I join in that, Congressman. I want to just add this, Mrs. Churchill: We have had a considerable number of witnesses before us from time to time who have contributed a great deal to the necessary knowledge this committee must possess if it is to discharge the duties imposed upon it by the Congress of the United States, but I do not think anyone has contributed any more than you have, not only to us, to the Congress, but you have contributed mightily, I think, to understanding in the locality and in the State of Michigan.

I want you to know that the committee, and speaking for myself personally, appreciate it very, very much. I hope that your Government will some day find some better way to repay you for the magnificent service you have rendered.

Mrs. CHURCHILL. Mr. Clardy, there is just one more statement that I would like to make in relation to my work. There have been infiltrations of the Communists into various public places, I might say, and I have contacted these people, and I have presented my case to

them, and they are cleaning out these people and have assured me that there will be no more of this, to their knowledge, and if they felt that there might be, they would contact somebody, if there is any doubt in their mind, and so I haven't named any organizations that I intended to name because I feel that as long as they are willing to cooperate with us, that it would be a detriment to them to bring their names in.

Mr. CLARDY. You are doing exactly the thing the committee wishes done and of which we heartily approve, so you are excused with the grateful thanks of this committee.

Before I call the next witness, I received a communication which happened to be addressed to me, but it is intended for the committee. It is of the character, Mr. Chairman, that I think ought to be read into the record because the committee has been accused so much and so maliciously of seeking to destroy labor unions and to do other things that are against the best interests of many of the finest citizens of this land.

This letter reads:

I belong to the Fur and Leather Workers Union which I am not proud of, and I have tried every way I could to bring another union to our shop,

and it is named, but I shall not read that,

but lose the vote by them being more expert at undermining the people. They have a meeting and spread discrimination to the colored people and try to set one on the other at the factory. There is no discrimination in our factory, as I work side by side with colored and don't resent it, for we all have to make a living. It was mentioned at one meeting that if Ben Gold was a Communist, it was his business, and as long as he did his job in the union, he was proud of him for owning up to it.

and incidentally, Ben Gold, the head of that union, was recently convicted.

Mr. VELDE. I might say that I understand that Ben Gold was just recently reelected unanimously as president of the International Fur and Leather Workers.

Mr. CLARDY. Since he was convicted.

Mr. VELDE. Despite the fact that he had been convicted of violation of the Smith Act.

Mr. CLARDY. (continues reading):

We don't want a union like that. Our dues help to support them, and if we don't pay union dues, they're protected by law for we have a closed shop, and we would be out of a job for, believe me, they have a strong hold on the minority, and the people who don't have the sense to think for themselves. We are hoping that your committee will help to expose our union all the way. We pay $3 a month and never get no parties or nothing, and we are supposed to be broke and in debt. Why does the Government protect them by not outlawing our union so I can feel decent? I and others have brothers in service and don't want to pay dues to that union, but our hands are tied. Hope you can talk to someone to help us for, God knows, we need it bad at our shop. You should read the tripe it prints in the paper it sends us, how our Government got weaknesses to lie and threaten them and their jobs to testify against Ben Gold at his trial. They even wanted us to donate to fight it. Thank you for your time to read this—

and it isn't signed. Then this follows:

I can't sign my name for they would make it rough at the shop. They think we have no mind of our own, but I am afraid I am one fool that has. Thanks again,

and then a P. S. which I shall not read because it gives some confidential information.

That letter to me is one of the most appealing that the committee has received during the time I have been on it because it demonstrates something that is illustrated by a great many other communications we have received, and that is, that in these Communist-dominated unions there is a strong feeling of desire on the part of the honest, loyal American workingmen to rid themselves of that subversive influence. At the hearing at Detroit four from another union in the State have approached me and asked me if we couldn't render them help in getting rid of the Communist leadership in another union here in the State, and I have had telephone calls imploring the same thing.

I feel confident, as we said at the beginning, that the vast majority of the members of the unions, not only in Flint, but in the State and in the United States, feel exactly as this one feels who wrote so movingly the letter I have just read.

We will take a 5-minute recess.

Mr. VELDE. Before we take a recess, Mr. Chairman, it was brought to my attention that I made an incorrect statement regarding the conviction of Ben Gold. Ben Gold was convicted for perjury instead of for violation of the Smith Act, and the perjury, I believe, was in connection with his Communist activities.

Mr. TAVENNER. Non-Communist affidavit.

Mr. VELDE. Yes.

Mr. CLARDY. That is right. You can thank the activities of this committee and its recommendations for the conviction that has resulted.

We will recess for 5 minutes.

(Whereupon, at 2:48 p. m., the hearing was recessed, to reconvene at 2:54 p. m.)

(Whereupon, at 3:03 p. m., the hearing was reconvened.)

Mr. CLARDY. The committee will be in session. Call your next witness, Mr. Tavenner.

Mr. TAVENNER. Mr. Howard Falk, will you come forward, please?

Mr. CLARDY. Hold up your right hand. Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FALK. I do.

Mr. CLARDY. You may be seated. Will Counsel identify himself?

Mr. BRAGMAN. Melvin Bragman.

Mr. CLARDY. I think the Chair is moved to remark at this time as we have at the other hearings that it would be distinctly unfair for anyone to draw any erroneous conclusions from the fact that attorneys appear with the witnesses called before us, and as a member of the bar myself, in full recognition of the fact that we are officers of the court and are bound to use our talents when called on, the committee wants it understood that it is not in any way casting any reflections upon any member of the bar who may appear here.

Now, if you are ready, Mr. Tavenner, you may proceed.

Mr. TAVENNER. What is your name, please, sir?

TESTIMONY OF HOWARD IRA FALK, ACCOMPANIED BY HIS COUNSEL, MELVIN BRAGMAN

Mr. FALK. My name is Howard Falk.

Mr. TAVENNER. When and where were you born, Mr. Falk?

Mr. FALK. I was born in the St. Marks Hospital, New York City, on August 15, 1927.

Mr. TAVENNER. Do you have a middle name?

Mr. FALK. My middle name is Ira, I-r-a.

Mr. TAVENNER. Are you known by a nickname as Howie?

Mr. FALK. Possibly, yes.

Mr. TAVENNER. Well, that is a fact, isn't it?

Mr. BRAGMAN. Mr. Tavenner, I would request that——

Mr. CLARDY. Pardon, Counsel. I am sure you are familiar with the rules. If your witness has a a suggestion, he may make it to us.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. I would just like to make the request that no pictures be taken while I testify because the flash bulbs are very disturbing.

Mr. CLARDY. We do not have a rule forbidding it, but if you make that request, the photographers are requested to be as unobtrusive as possible and not to interfere with the wishes of the witness on the stand.

Proceed.

Mr. TAVENNER. You say you are possibly known as Howie. You are known as Howie, aren't you?

Mr. FALK. Well, that is one of the nicknames that is usually used for the name Howard.

Mr. TAVENNER. And you were known and signed your name that way frequently, didn't you?

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. I usually sign my name Howard Falk. Possibly on personal letters, et cetera, I might use the name Howie.

Mr. TAVENNER. What is your occupation, Mr. Falk?

Mr. FALK. At present I am a factory worker.

Mr. TAVENNER. Where do you work?

Mr. FALK. I work at the Buick.

Mr. TAVENNER. What is the nature of your employment there?

Mr. FALK. Production work.

Mr. TAVENNER. Production? Will you define the nature of your work a little more in detail, please?

Mr. CLARDY. Mr. Tavenner, we have a phone call from Washington. We will suspend a moment because the quorum of the committee will be broken unless we do.

(Representative Harold H. Velde left the hearing room at this point.)

Mr. CLARDY. May I suggest, this is not a recess, and I would request that the audience remain as quiet as possible because we may resume at any moment. It is most difficult, I should tell you, to hear up here, and the slightest rustling and murmuring somehow or other comes right up and hits our eardrums. It is not very good acoustically. I am glad we have the P. A. system or I don't think we would hear anything, but at any rate, I would appreciate it if you could remain

as quiet as you can so that the committee and yourselves as well may hear the testimony which is presented.

I know how difficult it is to remain quiet as long as you have to, but it is just as hard on us here, too.

(Representative Harold H. Velde returned to the hearing room at this point.)

Mr. CLARDY. You may proceed, Mr. Tavenner.

Mr. TAVENNER. I believe I asked you to describe a little more in detail the nature of your duties at Buick.

Mr. FALK. At present I am a milling machine operator.

Mr. TAVENNER. How long have you been a milling machine operator?

Mr. FALK. For approximately the last couple of years, I would say.

Mr. TAVENNER. When did your employment begin at Buick?

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. I started employment at the Buick on September 16, 1949.

Mr. TAVENNER. What was the nature of your employment when you began your work at Buick?

Mr. FALK. I believe the first job that I had was as a foot-press operator.

Mr. TAVENNER. Making what?

Mr. FALK. I believe they were push rods.

Mr. TAVENNER. Have you worked there continuously at Buick since September 16, 1949?

Mr. FALK. Yes, I have.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been?

Mr. FALK. My educational training has been grade school, 4 years of high school at Stuyvesant High School, 4 years of college at the City College in New York City.

Mr. CLARDY. What do you mean by that 4 years of college? Was it in literary college or was it in some specialized training course?

Mr. FALK. I was an engineering student in electrical engineering.

Mr. TAVENNER. Where was that, at City College?

Mr. FALK. That is correct.

Mr. TAVENNER. Have you had any other educational training?

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. I don't exactly get the meaning of the question, but I believe I could answer it in the way of saying no other formal education.

Mr. TAVENNER. What was the year in which you completed your formal educational training at City College?

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. It was in 1949.

Mr. TAVENNER. When did you enter the school?

Mr. FALK. I believe it was in 1944.

Mr. TAVENNER. Did you receive a degree?

Mr. FALK. I did.

Mr. TAVENNER. What degree did you receive?

Mr. FALK. Bachelor of electrical engineering.

Mr. TAVENNER. What is the date on which your degree was awarded?

Mr. FALK. I am not positive of that. I believe it was officially dated in June of 1949.

Mr. TAVENNER. Could it have been as late as August or September of 1949?

Mr. FALK. I did attend school during that summer session in order to complete a number of credits toward my degree, but I am not positive of the official graduation date that appeared there.

Mr. TAVENNER. But you were in attendance at City College, New York, in the course of your formal educational training up as late as August or September 1949?

Mr. FALK. That is correct.

Mr. TAVENNER. When did you arrive in the State of Michigan?

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. TAVENNER. Prior to your taking a position with Buick on September 16, 1949.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. I don't recall the exact date. It was some time about the second week of September in 1949.

Mr. TAVENNER. Where did you go or where did you come to in the State of Michigan? Was it Detroit or Flint or where?

Mr. FALK. Well, I came to the city of Flint.

Mr. TAVENNER. You came directly to the city of Flint from New York?

Mr. FALK. Well, I don't know how you mean that. I traveled here via Detroit.

Mr. TAVENNER. Well, did you stop over in Detroit?

Mr. FALK. No, not that I recall.

Mr. TAVENNER. Are you certain?

Mr. FALK. I believe that there was some interval between the train and the bus or something of that sort, but——

Mr. TAVENNER. Did you confer with anyone in the city of Detroit before coming to Flint?

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. My impression of that question is that it is the type of question which is directed toward involving my name with the names of other people. Since this is a type of question which I feel that I should not answer, I am going to decline to answer that question.

Mr. CLARDY. The chair directs that you answer it.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. I refuse to answer that question on the following grounds and for the following reasons: First, that the question makes inquiry into my political activities and that this is a field in which Congress can make no laws and which this committee can ask no questions, this being prohibited by the first amendment of the Constitution of the United States; second, that I have a right under the first amendment to the United States Constitution to remain silent as well as a right to speak; thirdly, that the question propounded is an unreasonable search of my person in violation of the fourth amendment to the United States Constitution; fourthly, that under the fifth amendment to the United States Constitution I have a right not to be a witness against myself, that this committee is attempting to deprive me without due process of law, of my life, liberty, and property, and therefore I am not required to answer the question which would aid them to do that, that these proceedings are inherently in the nature of a crim-

inal prosecution, and that therefore I am entitled to trial by an impartial jury, and therefore do not feel that I have to answer the questions when I do not have the jury that I have been guaranteed by the sixth amendment to the United States Constitution; that under the tenth amendment to the United States Constitution Congress has been delegated only certain powers and that among them is not listed the right to make inquiry into my political beliefs, to make laws which would prohibit the free exercise of the freedom of speech or of the right of the people to peaceably assemble, and therefore I feel that this committee is not acting within one of the delegated powers of Congress, and that therefore I do not have to answer this question.

Mr. CLARDY. Have you completed it, Mr. Falk. You paused there, and I wanted to be sure, because I have a question I would like to propound. Have you finished your recitation of reasons for refusing?

Mr. FALK. I have, Mr. Clardy.

Mr. CLARDY. What charge has been laid against you up to this moment?

Mr. FALK. Mr. Clardy, the very fact that I have been brought up before these hearings constitutes some sort of a feeling or direction that there is something wrong with me, and the very fact that my name will appear in the papers as having been a witness here constitutes some sort of onus on my name.

Mr. CLARDY. Well, now—

Mr. VELDE. Mr. Chairman.

Mr. CLARDY. Proceed.

Mr. VELDE. Thank you.

Mr. CLARDY. After all, you are my superior officer, and I surely bow to you, sir. Proceed.

Mr. VELDE. Well, of course, we have heard the same type of response the witness is giving now all over the country.

Mr. CLARDY. Exactly.

Mr. VELDE. And I want to clear up something in your mind, if I can, that this committee is not a prosecuting agency of any type or description. It is not a court of law. The Congress of the United States has placed an obligation upon this Un-American Activities Committee to investigate subversive activities and subversive propaganda and report to the Congress of the United States for the purposes of remedial legislation. If you would answer the questions that have been propounded to you by counsel and by Mr. Clardy, I am sure that any suspicion of you by the press, by the public, would certainly be removed, and so again I am going to ask that the Chair direct the witness to answer the question relative to his contacts at the Detroit Airport.

Mr. CLARDY. I shall do so, but first I want to pursue the line I started for a moment before I order him to answer the original question because your second answer, witness, was no more than a paraphrasing of the first answer. You spoke of some sort of charge. Now, my question was and still is, What is that "some sort of charge" that has been laid against you, if you know of any?

Mr. FALK. Mr. Clardy, as I understand the operation of the Bill of Rights, and in particular, the fifth amendment of the Bill of Rights, a person who testifies as I am testifying today and answers questions which may seemingly be innocent, which may seemingly have noth-

ing to do with anything bad or derogatory, by answering these questions, can open himself up to a chain of questioning which may lead to derogatory matters.

Mr. CLARDY. If that is the case, witness, you have already opened the door; in fact, you have taken it off the hinges, when you suggested that there was some sort of charge laid against you. Now all I am seeking to discover is what is it that you are apprehensive about in the nature of a charge, because I can assure you, no charge has been laid against you.

You are being afforded, as Chairman Velde has suggested, an opportunity at the time you were called to the stand and the first time that your name has been mentioned by this committee, to say anything and everything you wish in defense against any charge, even though it may be imaginary, but which you conceive has been laid against you.

Now, I don't want you to go forth after this meeting, this hearing today, and be quoted as having said that this was an inquisition which denied you the opportunity to speak freely, frankly, and fully in your own defense, but to come back to my question, what is this vague some sort of—to use your own words—charge or charges that you think have been laid against you?

Now, if you can't answer it or you want to decline, you have the privilege of doing so; even though we may think you are in error, we will acknowledge your right to take the stand as you wish and either to say yes or no or give some other sort of an answer or refuse to answer.

We may differ with you, and you may do this at your own peril sometimes, but I just want to let you know, you can say what you wish in that regard.

Now, tell me the charge.

Mr. FALK. Well, first I might mention that I have already been charged through the newspapers by this committee——

Mr. CLARDY. Not by this committee.

Mr. FALK. By this committee of being arrogant, and I will explain how.

Mr. CLARDY. When was that made?

Mr. FALK. I read this in the newspapers in the last several days.

Mr. CLARDY. Who made it?

Mr. FALK. Somebody connected with the committee made the statement——

Mr. CLARDY. Identify him.

Mr. FALK. I don't recall the person, but I am sure you will remember the incident if I bring it out to you.

Mr. CLARDY. No; there is no such incident. That is why it can't be recalled, but at any rate, I think I will now direct you, because it is obvious that you really have no charge in mind to answer the initial question asked by counsel.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. CLARDY. Did you understand the direction of the Chair?

Mr. FALK. I am trying to get advice from my counsel.

Mr. CLARDY. Well, you consulted a long time awhile ago, and I don't like to waste any more than I have to. Are you consulting with your counsel on the original question again?

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. CLARDY. While counsel is looking it up, I am going to ask you another one and suspend asking you that.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. CLARDY. Pay attention to me for a moment. Did you issue any statement to the press identifying yourself as a witness who had been subpenaed by this committee prior to today?

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. No; I did not.

Mr. CLARDY. You did not?

Mr. FALK. No; I did not.

Mr. CLARDY. You did not release any news whatever to the press? Had your name been mentioned as a subpenaed witness?

Mr. FALK. Not to my knowledge.

Mr. CLARDY. Very well. Now answer the original question. You may consult with counsel.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. Would you please repeat the original question? It seems quite awhile. I don't recall it.

Mr. CLARDY. Read it, Miss Reporter, if you can find it.

Mr. TAVENNER. I believe I can save time.

Mr. CLARDY. All right, Mr. Tavenner. Restate it.

Mr. TAVENNER. On your way to Flint did you confer with anyone in Detroit?

Mr. CLARDY. That is the question I directed you to answer, and I again do so.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. I am going to decline to answer that question on the same grounds as I previously stated, primarily on the grounds of the fifth amendment.

Mr. VELDE. That is your privilege granted to you by the fifth amendment against self-incrimination.

Mr. FALK. On the grounds of the fifth amendment.

Mr. VELDE. Mr. Chairman, I would like to make a statement which I have previously made many times.

Mr. CLARDY. Proceed.

Mr. VELDE. Concerning the witnesses who refuse to answer under the grounds of the fifth amendment. There has never been a witness who has come before the Un-American Activities Committee in its 15 years of existence, or, as far as I know, before any other committee of Congress, who has ever been prosecuted for a crime growing out of his testimony when he answered the questions and answered the questions truthfully. Now, if you will answer the questions instead of taking the fifth amendment and the others that you have mentioned, I am satisfied—I can't guarantee it, of course—but I am satisfied that you will not be prosecuted for any crime growing out of the answers to the questions that you may give here.

Mr. CLARDY. May I add, Mr. Chairman, this further observation, that while I have introduced a bill to make it a crime to belong to the Communist Party, because I regard it not as a party, but as a criminal conspiracy, at the moment it is not a crime to admit that you belong to or have belonged to the Communist Party. Now, that is not involved in this question, but if that is your apprehension, that you will be prosecuted because the chain of questioning may lead to an eventual response as to whether you are or have been a member, I can

assure you that if that is it, you can't be prosecuted, and you won't be. If, of course, in the back of your head is the idea that we may endeavor to discover whether you have engaged in any subversive activities or whether you have belonged to some organization dedicated to the overthrow of this Government through force and violence, your apprehension may be well founded, but only if that is the case. It has to be something of that kind.

Now you have declined, as I understand, to answer this last question, am I correct?

Mr. FALK. That is correct.

Mr. CLARDY. Very well. Proceed, Mr. Tavenner.

Mr. TAVENNER. Was your original destination upon leaving New York, Detroit or Flint?

Mr. FALK. It was Flint.

Mr. TAVENNER. When did you make your arrangements to come to Flint?

Mr. FALK. I don't know what you mean by arrangements.

Mr. TAVENNER. Did you have employment lined up in Flint before leaving New York?

Mr. FALK. No; I did not.

Mr. TAVENNER. Had you written for employment, made any application for employment before leaving New York?

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. No; I did not.

Mr. TAVENNER. How soon after your arrival in New York did you make application for employment at the Buick plant?

Mr. CLARDY. Did you say at New York or from New York?

Mr. TAVENNER. I meant to say in Flint.

Mr. FALK. I couldn't state that accurately. It was within a day or a day and a half, some short period.

Mr. TAVENNER. I hand you a photostatic copy of an application for employment, Buick motor division, Flint, Mich., bearing date of September 14, 1949, and I will ask you to examine it and state whether or not your signature appears thereon and whether it is your application for employment.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. Would you please restate the question?

Mr. TAVENNER. Please read him the question.

(The question was read by the reporter as follows:)

I hand you a photostatic copy of an application for employment, Buick motor division, Flint, Mich., bearing date of September 14, 1949, and I will ask you to examine it and state whether or not your signature appears thereon and whether it is your application for employment.

Mr. FALK. I see in front of me an application which you say is my application for employment at the Buick——

Mr. CLARDY. Correction, witness. He is asking you if it is.

Mr. FALK. I decline to answer whether or not it is.

Mr. TAVENNER. Will you examine——

Mr. CLARDY. Pardon, Mr. Tavenner. The Chair directs that you answer that question. This is a matter of record on which you may not properly invoke the fifth amendment in the opinion of the committee.

Mr. VELDE. Mr. Chairman, I believe that counsel should divide his question there. There are two questions in one there. If you will

direct the witness to answer the question as to whether or not that is his signature first——

Mr. TAVENNER. Will you please examine the signature appearing on the second page of the document and state whether or not it is a copy of your signature.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. I decline to answer that question on the grounds that I have previously stated.

Mr. VELDE. And the Chair accordingly directs that you answer it for the reasons we previously stated.

Mr. FALK. I decline to answer that question on the grounds that I enumerated in the previous question.

Mr. CLARDY. Now phrase the last half of the question, Mr. Tavenner.

Mr. TAVENNER. Is it your application for employment at the Buick plant?

Mr. CLARDY. May I suggest an amendment to that? Photostatic copy of his application.

Mr. TAVENNER. Yes, sir.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. I decline to answer that question on the same grounds.

Mr. CLARDY. And you are accordingly directed again to answer that question.

Mr. FALK. I decline again.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked "Falk Exhibit No. 1."

Mr. CLARDY. It will be received.

(Photostatic copy of application for employment, Buick motor division, Flint, Mich., September 14, 1949, marked "Falk Exhibit No. 1" was received in evidence.)[1]

Mr. TAVENNER. Will you state, read into the record, please, the name appearing at the bottom of the second page of the application; that is, of document, Falk exhibit No. 1? I am asking you to read the name that appears there. I am not asking you if it is yours.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. Which page are you referring to?

Mr. TAVENNER. I think it is on the second page, the name of the applicant.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. CLARDY. Are you ready to answer the question?

Mr. FALK. No, I am not ready to answer the question. I am trying to get counsel from my lawyer, but it seems obvious to me that this type of questioning must be intended in some way to get me legally wrapped up, and that perhaps it is the intention of this committee to try to pin contempt citations on people, perhaps.

Mr. CLARDY. Witness, may I assure you we make no effort to do it at all. If there is ever any contempt proceeding, the witness, to use your phrase, ties it on himself.

Mr. FALK. Mr. Clardy, I don't believe you are sincere and truthful in this matter. You were not when you took oath of office; betrayed public trust.

Mr. CLARDY. Will you please. There is no question pending to you, sir.

[1] Retained in committee files.

Mr. VELDE. Mr. Chairman, this is ridiculous, absolutely ridiculous. Mr. Clardy was elected by the people of this congressional district to represent this district in Congress, the Congress of the United States, and I can assure you that he has done so faithfully and well, and any attack on Mr. Clardy, as chairman of this subcommittee will be an attack on your Congress of the United States.

Mr. FALK. I am not trying to attack anybody, I merely want to state the facts when I present my point of view here.

Mr. CLARDY. No question is pending. You declined to answer and you are merely making an observation not called for. Are you ready to answer the question?

Mr. TAVENNER. I think I can help the witness.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. TAVENNER. I believe I can help the witness in the answer to that matter. It could not possibly incriminate you to read what is on the record. That is all I have asked you. There is no possible basis for self-incrimination to read at the direction of the committee what appears on a piece of paper.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. CLARDY. I think I am compelled to add to that, Mr. Tavenner, the fact that it will not incriminate you, witness—might lead to a possible citation for contempt as you, yourself, suggested a moment ago. Now, merely reciting the name on there cannot in any way be a crime unless to possess the name that you read is that of a criminal. Now, will you read it?

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. Mr. Clardy, the question here in my mind is again the question of waiving my privilege, and I feel I have to consult further with my counsel. I can't take the advice of the counsel of the committee as being intended in my——

Mr. CLARDY. I was not giving you any advice.

Mr. FALK. In my favor.

Mr. CLARDY. I was merely stating the legal position the committee takes so that you might be apprised of the risk you may be taking if you refuse to comply with counsel's request.

You have the right, you have the right under our procedure to continue in refusing, but I again must remind you, you must do so at your own peril, and I don't want to hear you claiming that the committee is responsible for the consequences of your own act.

Now, if you want to consult with him more, although we have wasted a lot of time on this, you may do so.

Mr. TAVENNER. Witness, I have already asked you whether it was your signature, and you refused to answer. I am asking you now to read into the record merely what appears on the paper. That is my sole question.

Mr. FALK. My only purpose in delaying on this question is my concern over waiving my right to decline, and therefore I feel that this time should be allowed for my lawyer to consider it.

Mr. CLARDY. We are allowing you time. I am merely pointing out you have wasted a lot of it to no consequence, but we are not going to hurry you; if your attorney wants more time, that is all right. If it reaches the stage of a filibuster, we may move on.

I wonder, witness, if I waved before you a copy of the New Testament and asked you to read a verse from it, would you decline to read that?

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. I don't see any reason why anyone should decline to read that.

Mr. CLARDY. I can't hear you.

Mr. FALK. I don't see any reason why anyone should decline to read that.

Mr. CLARDY. But you would, and are on the verge, I take it, of declining to read your own signature. Isn't that the fact?

Mr. FALK. Mr. Clardy, I am concerned with retaining my constitutional rights at this hearing, and I am trying to get advice from my lawyer as to whether or not answering the question asked will waive these rights.

Mr. CLARDY. Mr. Tavenner, I think for the moment I will ask you to withdraw that question and move on to another one and see what luck we have with that.

Mr. TAVENNER. I believe counsel is now advising his client.

Mr. CLARDY. All right. Counsel, I may say that nothing the Chair or Mr. Velde has said is intended in any way to bring reflection upon you whatsoever.

Mr. VELDE. I certainly concur in that statement.

Mr. CLARDY. Proceed, Mr. Tavenner.

Mr. TAVENNER. Continue to confer with your counsel, as he tried to speak to you several times.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. My lawyer gives me the option that reading this document will in no way be injurious to me. Therefore—which was it that you wanted me to read?

Mr. CLARDY. Your signature at the bottom. Read the name, whether it is yours or not, read it.

Mr. FALK. I read the name on the bottom of this statement, and as I read it, it says "Howard"—and I can't quite make out the last name because it is blotted—the middle name which appears to be inserted there is Ira, I-r-a.

Mr. CLARDY. Those are your two first names, aren't they?

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. My first name is Howard. My middle name is Ira.

Mr. CLARDY. There is a remarkable similarity to what you just told us.

Proceed, Mr. Counsel.

Now that you have it, Counsel, I will ask you, does the last name "Falk" appear anywhere on the document?

Mr. TAVENNER. Will you examine the document again on the second page, opposite the column which states "Motor" and will you see what name appears and read the name into the record?

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. I see a line here that begins with the word "Motor."

Mr. TAVENNER. Yes, and just opposite in the next column.

Mr. FALK. What follows it is "Mrs. M. Falk." I believe that——

Mr. TAVENNER. How do you spell——

Mr. FALK. I believe that it is F-a-l-k.

Mr. CLARDY. I want it, Mr. Tavenner, to be perfectly plain on the record that reading that last name carries no implication of any kind, good, bad, or indifferent. I want that distinctly to show.

Proceed.

Mr. TAVENNER. Now will you examine the signature of the applicant and state whether or not the same letters appear there, F-a-l-k?

Mr. FALK. I couldn't say positively whether they are the same letters.

Mr. TAVENNER. How many letters do appear there?

Mr. FALK. It appears to be four letters. They are written differently from the other letters you refer to.

Mr. TAVENNER. Will you state the number of letters that you can recognize in the four-letter name?

Mr. FALK. I can recognize the last letter which is "k" and the letter before it which is "l."

Mr. TAVENNER. Can you not recognize the second letter as "a"?

Mr. FALK. It might possibly be an "a." I don't want to quibble over the point. The only thing I am concerned about is my legal rights in this matter and not quibbling about what the handwriting might look like.

Mr. TAVENNER. It looks like an "a" to you, doesn't it?

Mr. FALK. If you would venture your opinion, I am sure the matter could be cleared up very quickly.

Mr. TAVENNER. Doesn't the letter look like an "a" to you?

Mr. FALK. Yes, it looks like an "a."

Mr. CLARDY. Pardon me. Is that name written in much the style that you use?

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. I don't know exactly what my opinion on that would be. I don't think it is particularly important.

Mr. CLARDY. You mean you haven't signed your name often enough to have an opinion on that? Surely you know your own style; if it is as bad as mine, I can understand why you can't quite make out some of it there, but isn't it in the general style that you use in signing your name?

Mr. FALK. It may be in the general style which I use in signing my name.

Mr. CLARDY. Is there any other person by the name listed on that document employed at the plant where you work?

Mr. FALK. Not that I know of.

Mr. CLARDY. Proceed, Mr. Tavenner.

Mr. TAVENNER. Will you tell the committee, please, whether or not during the course of your educational training at City College you were granted a leave of absence from that institution to enter the Armed Forces?

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. Yes, I was granted such a leave.

Mr. TAVENNER. What period of time did you serve in the Armed Forces?

Mr. FALK. Approximately from the spring of 1945 until the summer of 1946.

Mr. TAVENNER. Then you entered the City College in 1944 or 1945?

Mr. FALK. 1944, as I remember.

Mr. TAVENNER. And you returned after serving in the armed services in the year 1946 to complete your educational training?

Mr. FALK. That is correct.

Mr. TAVENNER. During the period from 1944 to 1949 when you completed your training, exclusive of the period when you were in the service, did you have any employment?

Mr. CLARDY. Miss Reporter, are you recording each time when there is a conference between counsel that there is such a conference?

The REPORTER. Yes, sir.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. I was employed during that period.

Mr. TAVENNER. What was the nature of your employment?

Mr. FALK. I had several part-time jobs.

Mr. TAVENNER. What was the nature of them?

Mr. FALK. Well, I don't know to which one you refer. Do you want me to describe several of them or——

Mr. TAVENNER. In 1949 how were you employed?

Mr. FALK. Oh, I believe I worked in the laboratory at the college as an assistant on, I don't know, doing odd jobs around in the laboratory there.

Mr. TAVENNER. Any other employment during 1949?

Mr. FALK. Oh, you were speaking of 1949. What I mentioned happened around the period of 1944. In and around 1949—I can't recall any at the moment.

Mr. TAVENNER. 1948?

Mr. FALK. I believe I had a job as an office boy for a short time during that period.

Mr. TAVENNER. By whom were you employed?

Mr. FALK. I don't recall the name of the office. It was a part-time job during the summer.

Mr. TAVENNER. How long did you have that part-time employment in an office?

Mr. FALK. It was the summertime employment.

Mr. TAVENNER. During the year 1948?

Mr. FALK. I don't recall whether it was 1948 or 1947. It was 1 of those 2 summers.

Mr. TAVENNER. I notice on the exhibit Falk No. 1 that there is stated that there was employment at Master Craft Model & Molding Co., Long Island City, as a messenger, general work around shop.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. TAVENNER. From October 1946 to August 1949?

Mr. FALK. Would you please repeat that question. I am very sorry.

Mr. CLARDY. Witness, may I suggest, when Mr. Tavenner or the committee members start asking you a question, I wish you would not do as you did then and spend that time consulting with counsel. We will give you time, as we have, after the question is propounded, but here again you are delaying us by compelling us to read it over again, where if you listened it would not have been necessary. Will you read it, Miss Reporter.

Mr. TAVENNER. Mr. Chairman, I think I can repeat it.

Mr. CLARDY. All right, maybe we can save time.

Mr. TAVENNER. An examination of exhibit Falk No. 1 shows employment at Master Craft Model & Molding Co., 22–17 Steinway Street, Long Island City, N. Y., from October 1946 to August 1949.

The duties performed, messenger; general help around shop. Is that the employment which you just referred to?

Mr. FALK. No, it is not.

Mr. TAVENNER. Were you employed by the Master Craft Model & Molding Co. at any time?

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. The question had something to do with some company that you were speaking of.

Mr. CLARDY. I didn't hear what you said, witness.

Mr. FALK. I say the question had something to do with some company or something that you were speaking of there.

Mr. TAVENNER. Do you want me to repeat the question?

Mr. FALK. Well, I would appreciate that.

Mr. TAVENNER. My question was whether or not you were employed by the Master Craft Model & Molding Co. in Long Island City.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. I stated before that I worked on odd jobs, and frankly I don't remember the places where they were.

Mr. TAVENNER. Did you work for that particular company?

Mr. FALK. I don't recall at this time.

Mr. TAVENNER. You do not know? There also appears on the application, Falk exhibit No. 1, the amount of wages or salary received for employment at the company mentioned over the period I described at $30 per week. Did you receive a salary of $30 per week from a company the name of which you do not now recall while attending school at City College?

Mr. FALK. Frankly I don't know what you are reading off the document. The document is in front of you. If you show it to me, I can merely——

Mr. TAVENNER. Yes; I think that is a reasonable——

Mr. FALK. I can merely say what you——

Mr. TAVENNER. That is a reasonable request.

Mr. FALK. I can merely say what is on the document as far as that goes.

Mr. CLARDY. No; we are seeking what you recall, if you listened carefully to the question. We are seeking to discover whether as a matter of fact you did receive the amount described, namely, $30.

Mr. FALK. Well, I don't know about this document here, but on jobs that I have worked on part time, oh, I believe on one I made about $25, on another about $17, and on others possibly as much as $30 a week.

Mr. CLARDY. Well, Mr. Counsel, I suggest we pass on to another phase.

Mr. TAVENNER. Now, will you examine the first page of Falk exhibit No. 1 and state what appears on the document with reference to educational qualifications or record?

Mr. FALK. I seen on this document you have given me a heading "Educational History," is that what you are referring to?

Mr. TAVENNER. Yes. Read it slowly, please.

Mr. FALK. There are several columns. It says "Grade school, P. S. 150, Long Island City." Then it says, "Dates attended, from 1937 to 1940." Then it says "Graduated," and it says "Yes." The next line says, "J. H. S. 125, Long Island City."

Mr. TAVENNER. J. H. S.?

Mr. FALK. J. H. S.

Mr. TAVENNER. What does "J. H. S." stand for?

Mr. FALK. It is your document that you are presenting to me.

Mr. CLARDY. Oh, Witness, don't fence with us.

Mr. FALK. I could venture an opinion that it is junior high school.

Mr. TAVENNER. All right, that is satisfactory.

Mr. FALK. The dates attended are from 1940 to 1941. Under "Graduated," it says "Yes." The next line says "CCNY, NYC."

Mr. TAVENNER. What does "CCNY" mean?

Mr. FALK. I might venture the opinion that it could possibly be the College of the City of New York or something of that sort. Dates attended, 1944 to 1945.

Mr. CLARDY. Now, do those dates happen to coincide with the dates of your own educational experience?

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. Yes, yes, more or less coincide.

Mr. CLARDY. Well, is it more or less or the same?

Mr. FALK. Well, I would say quite closely, quite closely.

Mr. CLARDY. Is there any exception that you can think of?

Mr. FALK. Well, what I have read already as it is put here, doesn't include——

Mr. CLARDY. I am not asking what it leaves out. I am asking you whether what is there is accurate or not so far as a record of your own dates are concerned.

Mr. FALK. I would say what is here is just about the same as what my actual education was so far as——

Mr. CLARDY. Why do you use the word "about." Isn't it an actual fact that it is precisely the same because that is your application?

Mr. FALK. I have already declined to answer as to whether this is my application.

Mr. CLARDY. Proceed, Mr. Tavenner.

Mr. TAVENNER. What is the name appearing after the figures City College, the abbreviation for City College and 44 to 45? Isn't there a name that appears there? Is it "engineering"?

Mr. FALK. What I see here is "E-n-g-i-n," period.

Mr. TAVENNER. Now, why is it in the making of that application you did not advise the Buick people that you held a bachelor of electrical engineering degree which you had received just 14 days before that application was prepared.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. I have already declined to answer as to whether this is my application. Therefore I must continue to decline additional questions which include any statement that this is my application.

Mr. CLARDY. Well, witness, when you applied, regardless of what the document shows in front of you, did you advise the company to which you made application of the fact that you possessed this engineering degree?

Mr. FALK. In other words, you would like to set this document aside for the present?

Mr. CLARDY. I am not talking about the document at all. I am asking you why you did not advise them of the fact that you had a degree in electrical engineering? Why was that fact omitted?

Mr. FALK. Well, I would——

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. Well, I would like to answer that in this way. I don't recall whether or not I mentioned to anybody particularly about having a degree. What I was concerned with at that time was getting a job as quickly as possible, a job with regular wages in the factories here, being able to support myself and looking forward to getting married, and I did everything possible that I could think of to get that job as quickly and as effectively as possible.

Mr. CLARDY. Proceed.

Mr. TAVENNER. You concealed the fact, did you not, that you had had 4 years of training at City College by stating that you had had 1 year of college from 1944 to 1945?

Mr. FALK. I can't answer any questions which relate to this document because I have declined to answer questions relating to this document.

Mr. TAVENNER. But isn't it true that that is what you advised the Buick people in attempting to obtain a position that you had had only 1 year of college from 1944 to 1945 when, as a matter of fact, only 14 days prior thereto you had received a bachelor of electrical engineering degree after a 4-year course at college?

Mr. FALK. It is possible that I did something like that with the idea in mind that if somebody know that I had an engineering degree, they would attempt to get me into a clerical job or some other job classification which I frankly wasn't interested in having. I felt the wages were better on production, and I wanted some steady work.

Mr. VELDE. Mr. Chairman. Do you have a bachelor's degree in electrical engineering?

Mr. FALK. I have already stated that before the committee.

Mr. CLARDY. Well, just answer the question again then. You do have, don't you?

Mr. FALK. Yes, I do.

Mr. TAVENNER. And it was awarded you on September 1, 1949, was it not?

Mr. FALK. I have said I don't recall the exact date, but it is somewhere——

Mr. TAVENNER. Then Mr. Chairman, I desire to offer in evidence a letter under date of March 2, 1954, from James S. Peace, associate dean of the City College, in which it is stated,

> Mr. Howard Falk entered the City College in September 1944 and attended until June 1945. On June 22, 1945, he was granted a leave of absence to serve with the United States Navy and was discharged by the Navy in August 1946. In September 1946 Mr. Falk returned to the college and remained in attendance until August 1949. On September 1, 1949, he was awarded a bachelor of electrical engineering degree,

which I ask be marked "Falk Exhibit No. 2" for identification only.

Mr. CLARDY. It will be received.

(The letter of March 2, 1954 marked "Falk Exhibit No. 2" was received in evidence.)[1]

Mr. TAVENNER. Then if I understand your testimony correctly, you felt you would not be given a job by Buick if it had appeared that you held the degree of electrical engineering?

[1] Retained in committee files.

Mr. FALK. As I stated before, I was interested in getting a production job with the relatively high wages compared to clerical work and other such work involved. I was interested in getting it as quickly as possible, being able to support myself, and that was the way that I proceeded.

Mr. CLARDY. Have you at any time since you obtained employment here in Flint made any effort to make use of the knowledge that you must have gained in getting that degree? In other words, have you at any time sought to obtain a job in the field you fitted yourself for when you spent the 4 years at City College?

Mr. FALK. No, I have not.

Mr. CLARDY. Why?

Mr. FALK. That is a matter of my own personal desires.

Mr. CLARDY. I understand that, and I don't intend to pursue it far, but I am curious to know why you would devote 4 years of a lifetime to obtaining higher education in a specialized field and then deliberately refrain from making any effort to put that to use. That is why I put the question in one word, why?

Mr. FALK. Mr. Clardy, I consider myself a good father and a good husband——

Mr. CLARDY. No one is attacking that at all.

Mr. FALK. I bring money home to my family. I have two small daughters; I try to support them, and frankly I don't think there is anything more that should be expected of me.

Mr. CLARDY. Then you are declining to answer my question, as I phrased it?

Mr. FALK. No; I consider that an answer. You have asked me why, and I explained why.

Mr. CLARDY. I trust you will pardon me if I don't regard it as such; but pass on, Mr. Tavenner.

Mr. TAVENNER. Did you have any other reason for applying for a job of the character that you did besides the one you have given?

Mr. FALK. I think that question is a little vague. I wish you would make it more specific so I could answer it.

Mr. CLARDY. Mr. Tavenner, I don't think that is called for. I think that is perfectly clear, so I direct you to answer.

Mr. TAVENNER. I can't make it any plainer than that.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. As I said, I try to do the best I can for my family. A man is supposed to be able to work where he pleases. That is what I understand is freedom in this country. I do know that in certain countries, for instance in Nazi Germany, people were put in a position where they had to carry such things as work cards and answer to the Government for where and why they wanted to work. I don't think that that is the situation in this country. I pay my taxes, provide for my family, and frankly I think that that is—you know, that that is all that is necessary for a person who is working.

Mr. VELDE. Mr. Chairman. I want to ask this question: Isn't it a matter of fact that you were sent as an emissary by the Communist Party of the United States here to Flint, Mich., to reorganize the Communist Party here in Flint, Mich., and that your reason for not stating your qualifications, that is, having a bachelor of electrical engineering degree, was that you felt that you couldn't get into the type of job

that was required by the Communist Party, if you did state those facts?

Mr. FALK. Mr. Velde, there are thousands of people who come to Flint every day. General Motors advertises throughout the country for workers, and I think it was very logical for me to come here and get a job in 1949. As I recall it, there was a great shortage of jobs in almost every part of the country. I know there was in New York City at that time, and Flint was one of the few places where people were working. I came here to get a job, to work.

Mr. VELDE. Let me ask you very simply——

Mr. TAVENNER. He hasn't answered your question.

Mr. CLARDY. He hasn't answered your question.

Mr. VELDE. I am inclined to think that the question was a little bit complicated.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. VELDE. Were you sent to Flint, Mich., as an emissary of the Communist Party?

Mr. FALK. That question is exactly the kind of question which tries to open up the whole field of people's political beliefs, the kind of question that is in effect trying to undermine the Bill of Rights and the Constitution, because it is not the kind of question that America wants to see asked, America, land of freedom. I am not going to answer such a question.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. CLARDY. Proceed, Mr. Tavenner.

Mr. TAVENNER. Isn't it a fact that you——

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. Excuse me, I want to know if it is necessary for me to claim legal grounds after such a question.

Mr. VELDE. I didn't hear the last statement.

Mr. FALK. I wondered if it was necessary for me to claim constitutional grounds in answering such a question.

Mr. VELDE. That depends upon you, I mean, if you care to.

Mr. CLARDY. What was the ground you care to invoke?

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. I would like to claim all of the grounds that I previously stated in answer to the first question that I felt I should decline.

Mr. TAVENNER. Were you advised and counseled of the work that you were to do in the Communist Party in Flint before you left the State of New York?

Mr. FALK. That is the same kind of question, the same kind of attempt to get at the politics here, of my particular politics and perhaps other people's politics, and I am going to decline again on the same grounds.

Mr. CLARDY. Witness, you say politics. Is that because you regard the Communist Party as a true political party?

Mr. FALK. Mr. Clardy, my political opinions about the Communist Party or any other party are not something which I am going to go into here. If I did, I would waive my right to decline to answer the probing questions of this committee and therefore I am not going to answer that question, either.

Mr. CLARDY. Why I ask is that in the prior testimony you reiterated, as we have had said thousands of times before us, that you were not going to state anything about your political beliefs and so on. This

committee, the other investigating committees, and your Government as a whole, does not regard the Communist Party as a political party. We regard it as nothing less than a criminal conspiracy of a group of people taking orders from a foreign government dedicated to the proposition of destroying this Nation by force and violence, and if you have in mind that we are going to take any other attitude, you are mistaken, but if you use the word "political" from here on out, I want to be sure that you are thinking of the Communist Party and denominating it as a political party, so I come back to my question. Is that your attitude toward the Communist Party? That is regardless of what you are, whether you are one or not. I am just asking you for your belief.

Mr. FALK. Your statements on this question are somewhat confusing to me because at one time you come out and say that the Communist Party is a legal political party. It hasn't been outlawed yet or something to that effect.

Mr. CLARDY. No, I have never said that. No one on this committee has said that.

Mr. FALK. I think I heard you say something about not having outlawed the Communist Party or something.

Mr. CLARDY. No, we haven't made it a criminal offense to belong to the party, much as I think it should be, and eventually will be. But that is different. We are talking about whether you think that is a true political party. Is that the basis of all your answers in which you talk about our invading your right to think politically? You can decline to answer that if you wish.

Mr. FALK. Mr. Clardy, I think you know, and I know, that the question of these hearings isn't limited to any question of communism. I think Bishop Sheil pointed this out in Chicago very clearly when he said:

> Now while we are free is the time to cry out against the phony anticommunism that mocks our way of life, flouts our traditions and democratic procedures and our sense of fair play, feeds on the meat of suspicion and grows great on dissension among Americans which it cynically keeps alive by a mad pursuit of headlines.

Mr. CLARDY. Well, now come back to my question. Of course that had nothing to do with it. Answer it, if you can remember it.

Mr. FALK. I have already stated I am not going to answer any questions that have to do with——

Mr. CLARDY. Very well. Pass on, Mr. Tavenner.

Mr. FALK. Such matters.

Mr. VELDE. Mr. Chairman, let me say first of all, I think you have been very generous with the witness in allowing him to refer to matters that are entirely immaterial to this hearing. As you well know, we have a rule on the committee that if a person answers the questions——

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. VELDE. That are propounded to him by counsel, if the witness answers those questions, then he is permitted to make statements, but of course you have refused to answer the questions propounded to you by counsel, and again I say I think you are very generous, Mr. Chairman.

Mr. CLARDY. I think perhaps we have been overly generous, but there was a purpose in doing so, because I do not want anyone, so long as I am presiding in my home State to ever be able to honestly tell the people of this State that I, acting as chairman, deprived them of a full,

free, and fair opportunity to state their position or to defend themselves. You have been granted, just as the chairman says, infinitely more lattitude than we have been granting in our hearing at other places in the United States. You are among the favored few in that regard. Now, will you proceed, Mr. Tavenner.

Mr. TAVENNER. During the course of the hearing today, Mrs. Churchill described a meeting at which she stated you were present and that Carl Winter was also present. It was one of these self-criticism meetings which she said were frequently held by the Communist Party, at which time you made the statement, you volunteered the statement, that your difficulty here had been reducing yourself to the level of the ordinary employee. Did you make that statement?

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. I believe the person to whom you are referring is the—and I use the word advisedly—stoolpigeon who testified earlier today. I don't credit the statements of any stoolpigeon. I don't feel I have to answer to those statements, and I think that is a shame on this city, this county, and this country, that such people are allowed to appear before Governmental bodies.

Mr. CLARDY. Now, Mr. Tavenner?

Mr. TAVENNER. Isn't it true?

Mr. CLARDY. Mr. Tavenner, just a moment. I am directing the witness to answer the question, and I caution you now, sir, that we are an arm of your Government. We are, so far as this hearing is concerned, the Congress of the United States. I have given you, as the chairman of the full committee suggested, infinite latitude, but there is an end to patience, and I shall not permit you henceforth to indulge in that kind of a typical Communist tirade. I enjoin you to refrain from using that kind of language under pain of possible citation for contempt because that, whether you know it or not, is the worst kind of contempt that can be exhibited before a committee of your Congress. Now, we will let this one incident pass, but I am suggesting for your own good that henceforth—and this applies to all the other witnesses who may succeed you on the stand—keep within the bounds of propriety and decency. Do not do what you did. Do not repeat that again. So that you will know if you do, the record will show that you have been fairly and honestly given ample warning of the possible results of your conduct.

Now, proceed, Mr. Tavenner.

Mr. TAVENNER. Mr. Falk, is it not true that the Communist Party thought well enough of Mrs. Churchill to elevate her to a very high position within that organization, even to the point of a member of the section committee of the Communist Party for Saginaw Valley, an organization of which you were a member. Now, your sudden burst here in criticizing her is because you have been named by her as a member of the Communist Party, isn't it?

Mr. FALK. I have stated my opinion of the woman named. The word that I used is not a new word. It is a word which has been used by Americans for many, many years. It comes out of the whole fight that American workers have put up for their unions, where companies have used stoolpigeons many times to try to keep these unions from coming into existence. I am not going to answer any questions about such a person. I have nothing but contempt for stoolpigeons—I may——

Mr. CLARDY. Witness, will you desist. Now I told a few moments ago the possible results of that kind of conduct. You have transgressed——

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. CLARDY. What the committee's rules permit. I warn you now, that if you persist in this course the committee will take whatever drastic action lies within its power to take. Now, refrain from that from here on out.

Mr. FALK. I am declining these questions on my constitutional grounds, as I have stated before. I don't think that if I express my contempt for people that that is grounds for threatening me, and I am sure Mr. Clardy knows as well as I do.

Mr. CLARDY. I am not threatening you. I am merely telling you under the rules of the Congress of the United States and of this committee, you have far exceeded the bounds of decency, and you will be called to account for it if you persist in it.

Mr. TAVENNER. Isn't it a fact that you were a colonizer of the Communist Party sent to the area of Flint or that you volunteered to come to the area of Flint for the purpose of carrying out the objectives of the Communist Party?

Mr. FALK. I have heard of colonizers, white colonizers in Africa who go in to take over the native populations, make them work for slave wages.

Mr. TAVENNER. Mr. Chairman, the answer is not in response to my question at all.

Mr. FALK. I will——

Mr. CLARDY. Witness, suspend for a moment.

You know without the Chair telling you that you are being impertinent deliberately. That, in itself, is contempt. Now, I suggest that you answer the question and refrain from that kind of remark. Now will you direct yourself to the question.

Mr. FALK. I am going to decline to answer such a question on all the grounds that I have stated before for such a question, and I also feel that this committee shouldn't prevent me from expressing my opinion on matters that are raised here. I may be very—you know, feel very contemptuous of the chairman of this committee, and if I say so, I don't think that I am in contempt. That is my opinion; it is my right as an American citizen to have that opinion, and I don't see where it could possibly be called contempt.

Mr. CLARDY. You may hold any opinion of the chairman that you wish, and it is of no concern to me, but the rules of the Congress, rules of this committee, call for an exhibition of proper respect toward your Government. You transgress those rules at your own risk. I have given you fair warning. I shall give you no more.

Proceed, Mr. Tavenner.

Mr. TAVENNER. You engaged, did you not, in a plan of deceit in obtaining employment here so that you could carry out the functions of the Communist Party effectively?

Mr. FALK. That is clearly the same type of question, and I decline for the same reasons.

Mr. TAVENNER. Within 2 or 3 days after your arrival in Flint did you not attend a meeting of the youth section of the Communist Party at a farm near Columbiaville, Mich., which meeting was being conducted by Jack Gore and Jack White?

Mr. FALK. This begins to sound like you are telling me what I am supposed to have done instead of asking me, but it is the——

Mr. TAVENNER. Is it true?

Mr. FALK. Same type of question and the exact same answer, I am going to decline as previously.

Mr. TAVENNER. As a result of that meeting you were assigned to work in the Labor Youth League of the Communist Party in this area, were you not?

Mr. FALK. I am going to decline all such questions. I think I have made that clear. If this committee is really interested in asking me questions, I think that they could proceed in a way that would allow me to answer. If they are interested in giving their view and their opinion, then I will simply decline to answer this question and all similar questions on the grounds that I have already stated.

Mr. VELDE. Mr. Chairman, I think I have already explained to you the obligation imposed upon us by the House of Representatives, which is to investigate un-American activities and un-American propaganda. I assure you, and I am sure that the Chair will agree, that that is our purpose in asking you these questions. Now, you could, if you would—I am sure that you have these facts—be of great service to your Congress, to the American people, if you would tell us some of the facts in connection with your employment here in Flint, Mich., in connection with the Communist Party, its directives and other matters involved in this field of activity. You say we are expressing our opinions. We ask you to express your opinion and give us facts.

Mr. CLARDY. Is there a question still pending or has he declined to answer?

Mr. TAVENNER. He declined to answer.

Mr. CLARDY. Ask your next question.

Mr. TAVENNER. Were you connected in an official capacity at any time with the Labor Youth League?

Mr. FALK. I am going to decline that question on the same grounds that I stated and on this additional ground at this time. I was brought up like many other young people in this country and went to school as I explained to this committee, and I was taught something about American democracy. Frankly, I don't like the idea of political peeping Toms. I am not going to become one. I don't think that this committee is really acting in all fairness and in the interests of the American people. In fact, there is a strong indication here that there may be certain political considerations on the part of individual members to publicize their own campaigns. I am not interested in helping these individuals out, and frankly I feel that it is an invasion of everything that is decent in this country to ask me to start to go into this political peeping Tom business here, so I am going to decline.

Mr. CLARDY. The question was, Are you a member of the LYL, with which you are thoroughly familiar? The uncalled for remarks you make have only served to aggravate the conduct that you have engaged in up to now. The Chair will tolerate very little more. Our patience is wearing very thin with you, sir, but I now command you, direct you, to either answer or decline to answer the question pending.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. I will decline to answer that question, and I claim the same grounds as I stated at the beginning.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. FALK. I will decline to answer the $64 question on the same grounds as previously stated.

Mr. CLARDY. Have you ever been a member of the Communist Party?

Mr. FALK. I will decline to answer that question for the same reasons.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. CLARDY. Any questions, Mr. Velde?

Mr. VELDE. I have no further questions except to make this remark: The conduct of the witness and his refusal to answer the question pertaining to subversive activities—in which I feel certain he has been engaged—can only lead to the conclusion by me that he has been and possibly presently is engaged in subversive activities in an attempt to destroy this Government of the United States, which I am sure the great majority of the American people hold dear to their hearts.

Mr. CLARDY. I have one final question: Are you now or have you ever been a member of any organization whose avowed purpose is the overthrow of this Government through the use of force and violence and ponder well before you make any answer.

Mr. FALK. I will ask my attorney.

Mr. CLARDY. You may do so.

(At this point Mr. Falk conferred with Mr. Bragman.)

Mr. FALK. On advice I find that that question is materially the same as all of the others that I declined on, and for the same reasons I will decline.

Mr. CLARDY. Witness dismissed. The witnesses who were subpenaed for today and tomorrow will report here at the hearing room at 9:30 a. m. tomorrow morning. The committee will now recess until tomorrow morning.

(Whereupon, at 4:40 p. m., the hearing was recessed until 9:30 a. m. Thursday, May 13, 1954.)

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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE STATE OF MICHIGAN—Part 9

(FLINT)

HEARING

BEFORE THE

COMMITTEE ON UN-AMERICAN ACTIVITIES

HOUSE OF REPRESENTATIVES

EIGHTY-THIRD CONGRESS

SECOND SESSION

MAY 13, 1954

Printed for the use of the Committee on Un-American Activities

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Public Law 601, 79th Congress

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

Rule X

STANDING COMMITTEES

* * * * * * *

17. Committee on Un-American Activities, to consist of nine members.

Rule XI

POWERS AND DUTIES OF COMMITTEES

* * * * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

RULES ADOPTED BY THE 83D CONGRESS

House Resolution 5, January 3, 1953

* * * * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress, the following standing committees:

* * * * * * *

(q) Committee on Un-American Activities, to consist of nine members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * * * *

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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE STATE OF MICHIGAN—Part 9
(Flint)

THURSDAY, MAY 13, 1954

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE COMMITTEE
ON UN-AMERICAN ACTIVITIES,
Flint, Mich.

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 9:32 a. m., in the supervisors room, courthouse, Hon. Kit Clardy (acting chairman) presiding.

Committee members present: Representatives Harold H. Velde (chairman of the full committee), Kit Clardy (acting chairman), and Clyde Doyle.

Staff members present: Frank S. Tavenner, Jr., counsel; Donald T. Appell and W. Jackson Jones, investigators; and Mrs. Juliette P. Joray, acting clerk.

Mr. CLARDY. The committee will be in session.

Now, this morning the subcommittee is once more at full strength. I want to welcome my colleague from California, the Honorable Clyde Doyle, who, at some considerable sacrifice to himself, because of the work that he has piled up—he has been on west coast hearings for the committee and gets back in Washington just about in time to bounce back here for today, so we welcome you to Michigan, Mr. Doyle.

Mr. DOYLE. I am glad to be here.

Mr. CLARDY. Now, something has come to the attention of the subcommittee during the night, something that we rather strongly suspected before the afternoon was over yesterday, and that is, that apparently there are some people who are deluding themselves into believing that through a filibuster technique they can avoid appearing on the stand.

I think you might just as well know at the outset that, (1) we don't tolerate filibustering today, and (2) whether we finish with all of the witnesses under subpena today and tomorrow or not, the witnesses under subpena will eventually be heard, no matter how many times we have to come back to Michigan, or if we have to take them to some other place, so I trust that the witnesses who may have had instructions from the Communist Party headquarters to filibuster against the committee will have that in mind when they take the stand.

Now Mr. Tavenner, are you ready to call your first witness?

Mr. TAVENNER. Yes, sir. Mr. Marvin Engel, please.

Mr. CLARDY. Hold up your right hand. You do solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ENGEL. I do.

Mr. CLARDY. You may be seated. Counsel, will you please identify yourself for the record?

Mr. WESTON. Aaron Weston.

TESTIMONY OF MARVIN M. ENGEL, ACCOMPANIED BY HIS COUNSEL, AARON WESTON

Mr. ENGEL. Mr. Chairman, I would like to request that no photographs be taken of me during my testimony.

Mr. CLARDY. We have a rule that up until the time you are sworn we give the news photographers an opportunity to take pictures.

Mr. ENGEL. I understand.

Mr. CLARDY. If you request it, from there on out, unless some incident arises which is considered newsworthy, your wishes will be respected.

Mr. ENGEL. I would also at this time like to present a motion to this committee for the quashing of my subpena. I would like to have an opportunity——

Mr. CLARDY. Pardon me. Has it been reduced to writing?

Mr. ENGEL. I only have notes, sir, and I also have it in my mind and in my heart, I would add. I would like to present my legal grounds why I think my subpena should be quashed.

Mr. CLARDY. May I suggest, sir, that under the rules of the committee such a motion should have been reduced to writing and presented to us in advance of the time of hearing so that it might be adequately considered. I don't believe at this time a statement will be permitted, but you may, and undoubtedly will, as other witnesses have, raise objections that you think proper as the questions are submitted, unless the statements you have will not take more than about a minute to read or to speak into the record.

Mr. ENGEL. Well, now, sir, I don't want to have my legal grounds limited to 1 minute.

Mr. CLARDY. Very well. We will proceed with the questioning. Go ahead, Mr. Tavenner.

Mr. TAVENNER. Will you state your name, please, sir?

Mr. ENGEL. My name is Marvin M. Engel.

Mr. TAVENNER. When and where were you born, Mr. Engel?

Mr. ENGEL. I was born in the Bronx, N. Y., July 4, 1927.

Mr. TAVENNER. Where do you now reside?

Mr. ENGEL. I now reside in the city of Flint, Mich.

Mr. TAVENNER. How long have you lived in the city of Flint?

Mr. ENGEL. I have lived in Flint approximately 5 years.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been?

Mr. ENGEL. Yes, sir, I would be glad to. First, however I would like to ask a question. If I state my educational training, does this in any way waive my legal rights concerning any activities that I participated in, any beliefs that I held during the time that I was in formal education?

Mr. CLARDY. Witness, you have sitting immediately at your right an attorney which the committee permits you to have when you are testifying. You may consult with him as to your legal rights.

Mr. ENGEL. Yes, but it is my feeling that this committee is at variance with the law on many legal rights. However, I will consult him.

(At this point Mr. Engel conferred with Mr. Weston.)

Mr. ENGEL. My attorney informs me that I do not waive those rights; therefore, I will tell you my educational background.

All of my formal education has been in the free public schools of this country which were won as free public schools by the action and the demands of the labor movement going all the way back in American history. The labor movement pioneered in winning free education——

Mr. DOYLE. Just a minute, Mr. Chairman. Just a minute, sir. You were asked a question, and you are disgressing from answering it, and I move, Mr. Chairman, that this witness be instructed to confine his answers to the question he was asked.

Mr. CLARDY. Your point is well taken, Mr. Doyle. This is very obviously, Mr. Witness, the beginning of an attempt to filibuster about which I warned you.

Mr. ENGEL. Filibuster is a congressional tactic.

Mr. CLARDY. Remain silent, sir, while the Chair or any member is addressing you. We will not permit the kind of impertinence that was exhibited toward the committee and the Congress yesterday. I want to make that very strong. Now remain silent while we are telling you. We will not permit any more Communist tirades of any kind today. We have a tremendous number of witnesses. As I said, they are all going to be heard if we have to come back a dozen times, but today we shall demand short, concise, direct answers, no digressions in the form of Communist harangues.

Now answer the question. You are so directed.

Mr. ENGEL. I attended 4 years of free high school in the city of New York. I then——

Mr. CLARDY. What date was that.

Mr. ENGEL. I am sorry. I graduated from high school in January of 1945. At that time I entered the free college, City College of New York. I attended the City College of New York from January 1945 until June 1945, at which time I took a leave of absence to enlist in the United States Navy—Naval Reserve, pardon me. I served in the United States Naval Reserve on active duty from June 29, 1945, to October 5, 1946, at which time I was given an honorable, or in common language, a battleship discharge. I then returned to school—I should say that I was on terminal leave for several weeks prior to the date of my discharge so that I was able to start back in school prior to that date. In other words, I started, I believe, about the first of October, which is few days before the date of my discharge. I went back to school in the fall of 1946 and was in attendance at school continuously through all three sessions, summer, winter, and spring, until June of 1949, at which time I received my bachelor's degree in social science.

Mr. TAVENNER. At what school was that?

Mr. ENGEL. That was CCNY, City College of New York, or the College of the City of New York.

Mr. TAVENNER. Will you tell the committee please, what your employment record has been since you returned from the Armed Forces of the United States?

Mr. ENGEL. I do not recollect any employment, either part time or full time during any of the time that I was attending school.

Mr. TAVENNER. That would be from January 1945 until June 1949, excluding the period you were in the service?

Mr. ENGEL. Yes, I believe so. I am not sure, but I believe that is correct.

Mr. TAVENNER. What became your employment upon the completion of your course at City College?

Mr. ENGEL. My—I have only had one job, and that is the job that I presently hold.

Mr. TAVENNER. And what is that, please?

Mr. ENGEL. That is with the Chevrolet manufacturing unit, Flint, Mich.

Mr. TAVENNER. When did you begin your employment with the Chevrolet plant?

Mr. ENGEL. I began my employment some time in July of 1949.

Mr. TAVENNER. Did you receive a degree from City College?

Mr. ENGEL. I have already stated I did.

Mr. TAVENNER. What was it?

Mr. ENGEL. It was a degree in social science, bachelor's.

Mr. TAVENNER. When did you make your application for a position with Chevrolet Motor Co.?

Mr. ENGEL. I am afraid that I can't recall the exact date. It was some time in July of 1949.

Mr. TAVENNER. Did you make that application from New York?

Mr. ENGEL. No, sir, I did not.

Mr. TAVENNER. Did you come from New York to Flint before ascertaining whether or not you would receive the job at Chevrolet?

Mr. ENGEL. I got no promise of employment at Chevrolet, if that is the question you are asking.

Mr. TAVENNER. Did you advise the management of Chevrolet that you had had 4 years of scholastic work at City College and had received the degree of bachelor of arts in social science?

Mr. ENGEL. Let me correct you. That was not a bachelor of arts degree. That was a bachelor—I believe it was called a bachelor of science in social science.

Mr. TAVENNER. Yes, that is correct, a B. S. degree?

Mr. ENGEL. I am not certain, but I don't believe I did.

Mr. TAVENNER. Well, in order to refresh your recollection, I hand you a photostatic copy of an application for employment at Chevrolet bearing date of July 12, 1949.

Mr. ENGEL. Well, now, apparently you have much closer access to General Motors' files than I do, and I have been working for them for 5 years.

Mr. CLARDY. Witness, no question was pending. Now, any more of that sort of interjection of obviously inflammatory language designed for a purpose of your own, any more of that, and we will be compelled to do something about it.

Mr. TAVENNER. Mr. Appell, will you point out on the form that part which relates to academic training? Does that refresh your recollection?

(At this point Mr. Engel conferred with Mr. Weston.)

Mr. ENGEL. I have no way of knowing whether what you have set before me and tell me is a copy of my application is actually a true copy of my application for work.

Mr. CLARDY. It is a photostat, is it not?

Mr. ENGEL. From what I have read in the papers——

Mr. CLARDY. You can tell that.

Mr. ENGEL. About photographs and photostats recently, I still——

Mr. CLARDY. Witness, you are again violating the rules that the committee has made very plain. You may think that that kind of conduct is very smart. Well, let me assure you that it will only lead you into trouble and difficulty if you continue with it. Now look at it and tell me, is it not a photostat?

Mr. ENGEL. I have no idea whether it is a photostat or not.

Mr. CLARDY. Despite the fact that you have a high college degree, you do not recognize a photostat when you see it?

Mr. ENGEL. I am also an amateur photographer, sir, but by looking at it I do not know whether it is a photostat, and I certainly do not know whether it is a photostat of my application.

Mr. CLARDY. Mr. Tavenner, will you ask him the question so there will be no doubt.

Mr. TAVENNER. Yes, sir. Will you examine the signature to the document and state whether or not it is your signature?

(At this point Mr. Engel conferred with Mr. Weston.)

Mr. CLARDY. I think you have had about enough time, witness, and from what I can see here, you are advising counsel instead of the counsel advising you. Get on with the answer.

Mr. ENGEL. You have very good ears, sir. I am asking my counsel for advice.

Mr. CLARDY. I can observe. Will you answer the question?

Mr. ENGEL. I am still waiting for my counsel to advise me.

Mr. CLARDY. I am directing you to answer the question. Is that your signature or not?

Mr. ENGEL. Do I have a right to consult with counsel?

Mr. CLARDY. You have a right to——

Mr. ENGEL. Do I have a right to consult with counsel?

Mr. CLARDY. You have consulted much too long already. It is part of the deliberate plan of the Communist Party to try to disrupt the proceedings, by this method, and we will not tolerate it. Now proceed to answer. Is that your signature or is it not?

(At this point Mr. Engel conferred with Mr. Weston.)

Mr. ENGEL. I decline to answer that question, and I do so for the following legal reasons: My first reason is based on the first amendment, wherein it says that——

Mr. CLARDY. You don't have to quote it. We know it. You stand on the first amendment.

Mr. ENGEL. I am trying to explain how I think that the first amendment applies.

Mr. CLARDY. We don't care to listen to any more on the first amendment. Now pass on to the next one.

Mr. ENGEL. Do you think that you know what I am going to say?

Mr. CLARDY. Witness, we are more with this than you are. Now we will not tolerate your explaining the law to us. You have stated

that the first amendment is your first objection. Very well. Now pass on. What is the next one?

Mr. ENGEL. It is my feeling that the enabling act under which this committee operates, known as Public Law 601, I believe, permits this committee to investigate propaganda, and I might say that Mr. Velde was in error yesterday when he said it enabled them to investigate activities and propaganda.

Mr. CLARDY. Witness, you are departing from an answer, and I direct you to confine yourself to stating the grounds upon which you are refusing to answer the last question, and I direct that it be a short, simple statement, no argument.

Mr. ENGEL. I wish to state my legal grounds fully. I think I have that right.

Mr. CLARDY. I am giving you that opportunity, but no chance for a Communist harangue today. Now tell me what the next objection is.

Mr. ENGEL. If you will permit me to state them, I will do so.

Mr. CLARDY. If you will state them succinctly, we will do so, but not permit you to filibuster.

Mr. ENGEL. I will state them in the way I think proper to cover my constitutional rights, and Mr. Clardy, you will not tell me how to state them.

Mr. CLARDY. Witness, do you have any other constitutional——

Mr. ENGEL. I do.

Mr. CLARDY. State them quickly.

Mr. ENGEL. It is my feeling further that this committee, in hauling me up here, is engaged in unreasonable search and seizure of my person, of my thoughts, of my beliefs.

Mr. CLARDY. Which section of the Constitution are you relying on on that?

Mr. ENGEL. I am relying, as you very well know, or at least you say you know, on the fourth amendment.

Mr. CLARDY. All right. Proceed.

Mr. ENGEL. And I feel that I am being compromised here by having to face a public inquisition, and I consider that to be unreasonable search and seizure of my person.

Mr. CLARDY. Very well. Do you have any more?

Mr. ENGEL. My next legal ground is that no person shall have to answer for an infamous crime except on the presentment of a grand jury, and a grand jury is secret so that the innocent may be protected before they are smeared all over the newspapers and public; also, that I do not have to appear as a witness against myself before this committee or before anybody, and I might say that I have already been charged by Mr. Clardy in the press before I ever came up here because he said that every witness that appeared here had already been determined would be arrogant, and I charge that to have been an assumption.

Mr. CLARDY. Proceed.

Mr. ENGEL. And since Mr. Clardy seems to think that he knows everything I am going to say I might say that there is actually no need to haul me up here because you might as well just say them and leave me out because you have already assumed everything that I am going to say, but I haven't been brainwashed yet. My answers are not yours.

Mr. CLARDY. Proceed. Do you have any others? I assume that you are intending to raise an objection under the fifth amendment, so pass on.

Mr. TAVENNER. Why was it——

Mr. ENGEL. I further——

Mr. TAVENNER. Excuse me.

Mr. ENGEL. Don't rush me, Mr. Tavenner.

Mr. CLARDY. Five more minutes, Mr. Tavenner.

Mr. ENGEL. I might have a few more, too. I further decline to answer that question because of the due process section which guarantees me life, liberty, and property, and I might take in a piece that was written during my birthday, July 4, pursuit of happiness.

Mr. CLARDY. Never mind; we are not interested in your birthday. Proceed.

Mr. ENGEL. You asked me about it.

Mr. CLARDY. Proceed.

Mr. ENGEL. I am, of course, citing here the fifth amendment, and I intend to use this amendment in its entirety as many times as I feel that this committee is transgressing my rights, whether that be 5 times, 10 times, or 500 times, regardless of what the box score says tomorrow. The guilt is with the committee for transgressing my rights and not from my——

Mr. CLARDY. Witness, you have departed again. Come back to the——

Mr. ENGEL. My further legal ground is that I am entitled, when I am charged with a crime, to a jury trial, that I am entitled to know the specific charges against me, and that I do not have to be subjected to what has been put here earlier as something of a mass indictment of an entire local union in this city. I have the right to confront and cross-examine any accusers of mine. I have the right of compulsory process for bringing witnesses in my favor, and also the right for full and complete representation by my counsel without any threats and intimidation.

Mr. CLARDY. Witness, I must——

Mr. ENGEL. My further legal rights——

Mr. CLARDY. Hold up a moment. I must enjoin you. We have permitted you to enlarge solely for the purpose of getting on the record the attitude that you are exhibiting toward your Congress. Now from here on out state the amendment and desist from arguing; otherwise the Chair will be compelled to treat your attitude as that of contempt and move on to the next question and leave you to suffer whatever consequences may follow. It is obvious to the Chair that you are determined to exhibit all the contempt your system will permit.

Now, we are not going to allow you to turn this into a Communist sideshow. Now state the remaining constitutional objections that you have, numbering the amendments.

If you do not care to do that, then I shall order you to desist and ask Mr. Tavenner to proceed on to the next question.

Mr. ENGEL. Do I understand you——

Mr. CLARDY. You understand exactly, I am sure. Now answer the question.

Mr. ENGEL. Only numbers?

Mr. CLARDY. That is right.

Mr. ENGEL. Well, let me consult counsel.

(At this point Mr. Engel conferred with Mr. Weston.)

Mr. ENGEL. The Bill of Rights further guarantees me that I not be subjected to cruel and unusual punishment, which is——

Mr. CLARDY. What amendment are you relying on there?

Mr. ENGEL. Which is the eighth amendment.

Mr. CLARDY. Very well.

Mr. ENGEL. Further, the Bill of Rights guarantees that there are certain rights reserved to me and reserved to the States that Congress cannot take away, which it is trying to do, and I am citing the 9th and 10th amendments here. I further wish to cite the 1st section of the 14th amendment because it has been stated in the press that there are State police sitting in this courtroom gathering evidence for possible conviction under the Trucks Act, and this committee is acting in collusion with the State police to take away the same rights that I have already argued about.

Mr. CLARDY. All right.

Mr. ENGEL. Further legal rights. I charge this committee with violating the entire main body of the Constitution proper and in particular article I which deals with the legislature, legislative sections of our Federal Government; article II, which deals with the executive branch of the Federal Government; article III, which deals with the judicial branch of the Federal Government, and I say that the entire legal precedent and what I have learned in school and come to respect as our American form of government as the separation of powers, as the checks and balances——

Mr. CLARDY. Witness, that is very well. Now we will give you the benefit of having raised as an objection every paragraph, line, word, comma, and period in the Constitution. From here on out, as the questions are propounded you will have that protection by merely saying "I shall refuse to answer on the grounds previously advanced." Now move on to your next question, Mr. Tavenner.

Mr. TAVENNER. Mr. Chairman, may I suggest that the witness be directed to answer the question as to whether or not the signature on the document before him is his signature?

Mr. CLARDY. Yes, I did so once. I direct again.

Mr. ENGEL. Do you want me to repeat my reasons?

Mr. CLARDY. I told you no, we will not permit you to repeat them in extenso. You may have the privilege and the coverage by merely saying you refuse to answer on the grounds already advanced.

Mr. ENGEL. I refuse to answer that question on the grounds already advanced.

Mr. CLARDY. Very well. Proceed, Mr. Tavenner.

Mr. TAVENNER. I desire to offer the document, the application, in evidence and ask that it be marked "Engel Exhibit No. 1."

Mr. CLARDY. It will be received.

(Photostatic copy of application for employment at Chevrolet, dated July 12, 1949, marked "Engel Exhibit No. 1" was received in evidence.)[1]

Mr. TAVENNER. Why was it that you did not advise your prospective employer, the Chevrolet Motor Co., that you held a B. S. degree in social science from City College?

[1] Retained in committee files.

Mr. ENGEL. Mr. Tavenner, you are assuming something I did not say. Therefore I am in doubt as how to answer that question.

Mr. TAVENNER. You advised the committee that you could not recall having so advised your employer.

Mr. ENGEL. I said I did not recall whether I did or did not.

Mr. TAVENNER. Will you answer the question, why didn't you?

Mr. ENGEL. You are assuming that.

Mr. TAVENNER. It is not on your application, is it?

Mr. ENGEL. I have not said—I have not admitted that that was my application.

Mr. TAVENNER. Did you give your employer any information regarding your educational background other than that which you put on your formal application?

Mr. ENGEL. I don't see why I would have.

Mr. CLARDY. Well, that isn't the question, Witness. Did you or did you not? That would call for a straight "yes" or "no."

Mr. ENGEL. I don't believe I have, no.

Mr. CLARDY. You don't believe?

Mr. ENGEL. No, sir.

Mr. CLARDY. Would you deny that you did give them additional information?

Mr. ENGEL. As to may educational background?

Mr. CLARDY. Yes, yes, particularly.

Mr. ENGEL. Well, now it has been 5 years since I made that application. I don't recall. But to the best of my knowledge I only gave them portions of my formal education.

Mr. CLARDY. Very well. Proceed, Mr. Tavenner.

Mr. TAVENNER. I desire to read into evidence a part of the document. The application signed Marvin Engel, bearing date of July 12, 1949, under the heading of educational records, shows the following:

Grammar school, 1934–39. Junior high school, 1939–41. Senior high school, 1941–45. Business college and college, no entry.

Isn't it a fact, Mr. Engel, that you deliberately concealed from the Chevrolet Co. the fact that you had been awarded the B. S. degree in social science from City College?

Mr. ENGEL. Are you accusing me of a crime, sir?

Mr. CLARDY. Answer the question, Witness.

Mr. ENGEL. I decline to answer that question for the reasons already stated, and I would like to say that I don't appreciate, Mr. Clardy, laughing when I am on the stand. I would like the record to show that.

Mr. CLARDY. Witness, the committee is in charge of the proceeding, and we are going to conduct it according to our own rules. Now, no further advice from you will be requested or tolerated.

Mr. ENGEL. I think this is a serious matter.

Mr. CLARDY. Will you proceed to ask the next question?

Mr. TAVENNER. You advised the committee in your testimony a few moments ago that you had had no employment from January 1945 until the time you obtained your employment in Flint. In order to get employment at Flint—at Chevrolet, did you make a representation that you had been employed for a period of time by the Universal Fence Co.?

Mr. ENGEL. I decline to answer that question for all of the reasons I originally stated, and also on the grounds that I feel that this inquiry into my employment is threatening my livelihood today.

Mr. TAVENNER. Mr. Chairman, I desire to read in evidence a part of Engel exhibit No. 1.

Mr. CLARDY. Proceed.

Mr. TAVENNER. Relating to employment.

Under "employment record" appears the following:

United States Navy, January 1945 to October 1946, seaman; Universal Fence Co., January 1947 to June 1949, total time in months, 30 months; salesman and stock clerk.

Did you make that representation of the Chevrolet Co.?

(At this point Mr. Engel conferred with Mr. Weston.)

Mr. ENGEL. I decline to answer that question on the same grounds.

Mr. TAVENNER. As a matter of fact, did you not make such a representation to the Chevrolet Co. in order to deceive it as to your exact status, namely, a student just out of a university?

Mr. ENGEL. Is that the question?

Mr. TAVENNER. Yes.

Mr. ENGEL. Well, I think you are trying to charge me with something here, and I decline to answer that question on the same grounds.

Mr. TAVENNER. As a matter of fact, as you have stated, you were not employed at any time by Universal Fence Co.; that is correct, isn't it?

Mr. ENGEL. I have given you my record.

Mr. TAVENNER. All right, sir.

Mr. CLARDY. Just a moment. You haven't answered the last question. Either answer it or decline.

Mr. ENGEL. I have said that during the time I was in school or in the Navy that I had no other employment outside of going to school or being in the Navy.

Mr. TAVENNER. And that you had not had any employment up until the time you accepted your employment at Chevrolet.

Mr. ENGEL. That is correct.

Mr. TAVENNER. You are aware, are you not, that where an employer has been specified on a form for application that it is the practice of the company, through which the applicant is seeking employment, to make an investigation of employment. Are you aware of that, as a general practice?

Mr. ENGEL. Well, you seem to be better versed on those matters than I am.

Mr. TAVENNER. Well, are you aware of that as a general practice?

Mr. ENGEL. I will take your word for it, sir.

Mr. TAVENNER. Well, you may accept my word for that because I have here the form used by Chevrolet Manufacturing Co. to make such investigation. This is the usual form of the company, and I hand you a photostatic copy of it and ask you to examine it. Does not the form make an inquiry on the part of the Chevrolet Co. of Universal Fence Co., stating that you had reported yourself to have been employed by that company from January 1947 until 1949 and in which it requested confirmation of that fact by the Universal Fence Co.

(At this point Mr. Engel conferred with Mr. Weston.)

Mr. ENGEL. This form that you have placed before me does say that.

Mr. TAVENNER. Does not the form also show that you had been so

employed by that company from 1947 to 1949 over the signature of the employer?

(At this point Mr. Engel conferred with Mr. Weston.)

Mr. ENGEL. This form says that a certain person whose name is on here has done what you specified.

Mr. CLARDY. Would you repeat that? I couldn't hear it.

Mr. ENGEL. This form does say that the person whose name is on here has done as you have stated.

Mr. TAVENNER. Who is the person that so stated?

Mr. ENGEL. The name that is written upon this photostat which you have placed before me is Marvin Engel.

Mr. CLARDY. Is there any other Marvin Engel employed at the plant where you work?

Mr. ENGEL. I would suggest that you ask the personnel office.

Mr. CLARDY. I am directing you to answer that question.

Mr. ENGEL. I have no way of knowing.

Mr. CLARDY. You have no knowledge at all?

Mr. ENGEL. I don't know. I have no access to the files.

Mr. DOYLE. May I ask this?

Mr. CLARDY. Yes, you may, Mr. Doyle.

Mr. DOYLE. Do you know of any other Marvin Engel working at Chevrolet Co., during the time of your employment there?

Mr. ENGEL. I don't know of any, no.

Mr. TAVENNER. Mr. Engel, you stated that the fact of employment of Marvin Engel by the Universal Fence Co. from January 1947 to 1949 appears over the signature of a person. Now is that person whose name I asked you not your name?

Mr. ENGEL. I am sorry. I didn't——

Mr. TAVENNER. Will you look at the name signed at the bottom of the paper, the person who certified that you were employed by Universal Fence Co. from 1947 to 1949?

Mr. ENGEL. Yes.

Mr. TAVENNER. Who is it?

Mr. ENGEL. I can't make the signature out.

Mr. TAVENNER. Who was the owner or operator of Universal Fence Co. at that time?

(At this point Mr. Engel conferred with Mr. Weston.)

Mr. ENGEL. I decline to answer that question on the same grounds as previously stated.

Mr. TAVENNER. What is your difficulty with making out the name that appears at the bottom of the paper?

Mr. ENGEL. I can make out the first name.

Mr. TAVENNER. What is it?

Mr. ENGEL. Well, I believe it is Sidney.

Mr. TAVENNER. Yes.

Mr. ENGEL. The second name is completely illegible to me.

Mr. TAVENNER. Completely?

Mr. ENGEL. Yes, sir, completely. There is a dot, some place over it, so I assume that is an "i."

Mr. TAVENNER. Is the name Linn?

Mr. CLARDY. L-i-n-n?

Mr. ENGEL. It may be.

Mr. CLARDY. Is it?

Mr. TAVENNER. Now, you are an intellectual——

Mr. ENGEL. Thank you, Mr. Tavenner.

Mr. TAVENNER. Certainly you are——

Mr. ENGEL. Let us try and raise it to that level, shall we?

Mr. TAVENNER. It has already been done by witnesses.

Mr. CLARDY. Just a moment, Mr. Counsel. I didn't make this clear this morning as we did the other mornings—I must ask that there be no demonstrations, either in approval or disapproval, and I suggest again to the witness that you just answer the question and leave out the wisecracks. Now proceed.

Mr. ENGEL. That was in response to Mr. Tavenner.

Mr. CLARDY. You heard me.

Mr. TAVENNER. Does the name appear to you to be that of Sidney Linn?

Mr. ENGEL. It may be.

Mr. TAVENNER. Aren't you satisfied that it is?

Mr. ENGEL. I say it may be. It may be about 500 other things, too.

Mr. TAVENNER. Aren't you satisfied to the best of your judgment that it is Sidney Linn?

Mr. ENGEL. Did you say L-i-n-n?

Mr. TAVENNER. Yes.

Mr. ENGEL. It may be that; yes.

Mr. CLARDY. You know Sidney Linn very well, don't you?

Mr. ENGEL. I decline to answer that question on the grounds I have already stated.

Mr. TAVENNER. Now why was it that Sidney Linn, if you know, confirmed employment by you from 1947 to 1949 which you never performed?

Mr. ENGEL. I decline to answer that statement and any other statements of that nature for the same reasons, and I think that you are just trying to run the box score up that I referred to before.

Mr. TAVENNER. Oh, no.

Mr. DOYLE. Mr. Counsel, may I ask this question to clarify my understanding? Do you mean that the record shows that Mr. Linn signed the certification that this witness was in his employ when he was not?

Mr. TAVENNER. The witness has testified——

Mr. DOYLE. Yes.

Mr. TAVENNER. The witness has testified that he was never so employed. The form of the application shows that he was so employed, and the inquiry made by Chevrolet Co. shows a certification by the employer, Mr. Sidney Linn, that he was actually employed during that period of time.

Mr. DOYLE. All right, thank you.

Mr. TAVENNER. Now, I want to ask you, Isn't it a fact that that was a prearranged scheme to assist you in getting employment within Chevrolet in Flint, to have Sidney Linn make that certification?

Mr. ENGEL. I decline to answer that question for the same reasons already stated.

Mr. TAVENNER. Mr. Chairman, Sidney Linn was identified by the witness Bereniece Baldwin in Detroit last week as a member of the Communist Party.

Mr. CLARDY. I recall.

Mr. TAVENNER. I desire to introduce——

Mr. DOYLE. You mean the same Sidney Linn that filed this certification, Mr. Counsel?

Mr. CLARDY. That is right, Mr. Doyle.

Mr. TAVENNER. It is Sidney Linn, that is all I can say. I desire to introduce the document in evidence and ask that it be marked "Engel Exhibit No. 2."

Mr. CLARDY. It will be received.

(Photostatic copy of form of Chevrolet Manufacturing Co. above referred to, marked "Engel Exhibit No. 2," was received in evidence.)[1]

Mr. TAVENNER. Mr. Engel, were you acquainted with a person by the name of Sidney Graber?

Mr. ENGEL. I am not going to permit this committee to question me on people whom I do or do not know. I am not going to prostrate myself and tell all, whether I know anything or not. You will not pry into my associations, and I decline to answer that or any other questions concerning people that I might or might not know, on all of the grounds that I have previously stated and on the additional ground that being an informer before this committee, which you are trying to make me do—become, would tend to degrade me.

Mr. CLARDY. Witness, I think I must point out to you, you said you would not permit the committee to do thus and so. You have no control whatever over what this committee may do. You may merely decline to answer or may answer, but no impertinent remarks of that kind are going to be permitted from here on out, unless you wish to run the risk of being cited for contempt.

Now, proceed, Mr. Tavenner.

Mr. TAVENNER. Mr. Engel, did you give the name of Sidney Graber as a reference to the Chevrolet Co. when you sought employment by it?

Mr. ENGEL. I decline to answer that question for the same reasons already stated.

Mr. TAVENNER. Will you examine Engel exhibit No. 1 and look at the third line, on the second page, under the title "personal references," second line——

(At this point Mr. Engel conferred with Mr. Weston.)

Mr. TAVENNER. And state what name you see there?

Mr. ENGEL. Might I suggest that there is a clerk here who could read this document of yours just as well as I could. They are getting paid for it, and I am losing money.

Mr. CLARDY. Witness, you have forgotten that you are before a committee of Congress. Now answer the question.

Mr. ENGEL. What was the question?

Mr. TAVENNER. Read the——

Mr. ENGEL. Just a moment.

(At this point Mr. Engel conferred with Mr. Weston.)

Mr. CLARDY. You better not consult counsel until you are sure of the question. Will you read it, Miss Reporter?

(The question was read by the reporter as follows:)

Will you examine Engel Exhibit No. 1 and look at the third line, on the second page, under the title "personal references," second line, and state what name you see there?

[1] Retained in committee files.

Mr. ENGEL. I decline to answer any question related to this document that you have presented before me for the same reasons that I have already stated.

Mr. TAVENNER. Mr. Chairman, I desire to read into the testimony the second line under "personal references" as appears in document Engel Exhibit No. 1. The name, Sidney Graber; address, 12064 North Martindale; city, Detroit; State, Michigan; 3 years length of acquaintance.

Mr. DOYLE. May I ask, to my recollection, is that exhibit 1 a photostat of the original application of this witness for employment at Chevrolet Co.?

Mr. TAVENNER. It is, sir.

Mr. CLARDY. And the last you read into the record was designed to show that Sidney Graber was given as a reference, is that correct?

Mr. TAVENNER. Yes, sir.

Mr. CLARDY. Proceed.

Mr. TAVENNER. Mr. Chairman, the person Sidney Graber was identified as a member of the Communist Party during the course of the testimony in Detroit last week. Mr. Graber was called as a witness and refused to answer material questions on the ground that to do so might tend to incriminate him.

Isn't it a fact, Mr. Engel, that you were one of the colonizers who either voluntarily or acting upon the direction of the Communist Party sought to infiltrate the Chevrolet plant in Flint by getting employment there?

Mr. ENGEL. I got employment in the Chevrolet plant to make a living, to be able to support myself.

Mr. TAVENNER. Did you have any other reason?

Mr. ENGEL. I decline to answer the question because you have indicated some deep conspiracy here, and I decline to answer that on all the grounds that I have previously stated, and on the additional ground that if you have knowledge of my participating in any conspiracy, of breaking the law, why don't you prosecute me in a court?

Mr. CLARDY. Proceed, Mr. Tavenner.

Mr. TAVENNER. Were you a member of the Communist Party in New York before coming to Flint?

Mr. ENGEL. I decline to answer that question for all of the reasons I have already stated and for the additional reason that, as has been stated by members of this committee, and as has appeared in the newspapers, as a recommendation by Attorney General Brownell, I believe, that it is the intention of this committee and of certain other people in the Government to pass such legislation that would, by throwing the word "subversive" around, enable the crippling of entire union organizations, and I will not be a party to that. I am talking specifically——

Mr. TAVENNER. You state you will not be a party to that. Were you a party to the Communist Party plan to concentrate Communist effort in the automobile industry in Flint?

Mr. ENGEL. I have told you, Mr. Tavenner, that I will not answer any questions concerning my associations or my political beliefs, and I have told you that I will decline to answer that question, those questions, on all of the reasons already stated, and I also decline to answer because I will not become a fink for the destruction of the trade unions of this country.

Mr. DOYLE. Now just a minute. I want you to understand, young man, that as a member of this committee I am not interested either directly or indirectly in destroying any trade unions in this country.

Mr. ENGEL. Then why do you sit on the committee with the other two gentlemen?

Mr. DOYLE. Just wait a minute, please. I want you to understand and any other trade unionist in this area that I am very proud of the fact that I am always endorsed by the A. F. of L. and the right wing of CIO. I am not endorsed by Communist subversives in the State of California, and I am definitely interested in helping uncover a bunch of conspirators under the direction of the Communist Party in my country—that is why I am sitting on this committee. But I want to make it straight to you that it is a lot of malarkey in my judgmen when you come here and try to throw up the defense of trade unionism because you are not doing it in my hearing by the sort of testifying you have been giving this morning.

Mr. ENGEL. Would you like me to quote from the——

Mr. CLARDY. Never mind, witness. No question is pending.

I want to join in what you have said, Mr. Doyle. That represents the thinking of the entire committee and particularly of the other two members that are here today.

Mr. VELDE. I certainly——

Mr. ENGEL. Your record is 100 percent antilabor.

Mr. CLARDY. Never mind, witness. There is no question pending. Proceed, Mr. Tavenner.

Mr. TAVENNER. Mr. Engel, did you, near the middle of September 1949, attend a meeting of the youth group of the Communist Party at a farm near Columbianville, Mich., at which time the meeting was conducted by Jack Gore and Jack White, and at that meeting the members of the youth group of the Communist Party were given assignments of organizations which they were to join, namely, the Labor Youth League and Young Progressives?

Mr. ENGEL. Well, now which part of that is your question?

Mr. TAVENNER. It is one question.

Mr. ENGEL. You said a mouthful.

Mr. TAVENNER. I asked you if you attended a meeting at which that business was conducted.

Mr. ENGEL. I decline to answer any questions concerning my personal, political, or other activities, my associations, whom I talked to, what I do. I decline to answer those questions before this committee because I don't have to answer those questions before this committee, and I decline to do so on all of the grounds that I have previously stated.

Mr. TAVENNER. Were you assigned by the leadership of the Communist Party in the area of Flint to work in the Labor Youth League movement.

Mr. ENGEL. Mr. Tavenner, that is the same question, and I give you the same answer. I just won't answer those questions. You have no right to ask them.

(At this point Mr. Engel conferred with Mr. Weston.)

Mr. TAVENNER. Are you now a member——

Mr. ENGEL. Just a moment. I use all the grounds I previously stated.

Mr. TAVENNER. That is understood. Are you now a member of the Communist Party?

Mr. ENGEL. Again I decline to answer that question on all of the grounds that I have previously stated, and on the additional ground that by merely asking me that question and these other questions that you have asked me, you are intending—I say intending—to indict—to try me before the eyes of the public for some nonexistent crime. Instead this committee is indicting itself.

Mr. DOYLE. Mr. Chairman, I just want the record to show that I disagree with the young man where he makes that false accusation against the purpose and intent of this committee.

I can't sit here and have that false, malicious charge made with me a member of the committee because it is untrue, and I believe it is manifestly known to be untrue by the witness.

Mr. ENGEL. Mr. Doyle, why do you sit on a committee with men who are against 75 cent minimum wage?

Mr. CLARDY. Witness, will you remain silent, please? You were not addressed. You have been most impertinent. I join with Mr. Doyle in what he says. Do you have any more questions, Mr. Tavenner?

Mr. TAVENNER. One more question. Have you been a member of the Communist Party at any time and at any place other than those that you have been interrogated about?

Mr. ENGEL. I would like you to separate that question.

Mr. TAVENNER. Well, if you think there is some unjust reference, I will——

Mr. ENGEL. That is the old "Have you stopped beating your wife." and I don't even have a wife, which makes it worse.

Mr. TAVENNER. I have asked you about your alleged Communist Party membership at various times and various places. The purpose of my question now is to ask you whether or not you have ever been a member of the Communist Party at any place or time other than what I have already mentioned.

Mr. ENGEL. Why don't you make it nice and simple and ask me one question?

Mr. TAVENNER. Well, put it your way.

Mr. CLARDY. Witness, answer the question. Don't lecture counsel.

Mr. TAVENNER. Put it your way. Have you ever been a member of the Communist Party?

Mr. ENGEL. I decline to answer that question for all of the reasons previously stated.

Mr. TAVENNER. I have no further questions.

Mr. CLARDY. Mr. Velde?

Mr. VELDE. Have you ever been a member of the Labor Youth League?

Mr. ENGEL. I decline that question for the same reasons, and on the additional ground that from what I have seen in evidence as the actions of this committee as concerns young people's ideas who are supposed to be searching for answers, looking for things, they are more concerned with looking into their minds than to find out what is going to happen to the three-quarter million graduates of schools this spring who will not have any jobs to go to.

Mr. VELDE. Mr. Engel, do you presently belong to the Labor Youth League?

Mr. ENGEL. I decline again to answer that question, as you very well knew I would, for the same reasons.

Mr. VELDE. You actually have contempt for this committee, do you not?

Mr. ENGEL. Are you asking me what my personal feeling is toward you?

Mr. VELDE. No; I am just asking you whether you have contempt in your heart for this committee of the United States Congress.

Mr. ENGEL. I am very contemptuous of any group which tries willfully to step upon and to destroy the constitutional liberties of the people of this country.

Mr. VELDE. And you include the Un-American Activities Committee of the House of Representatives in that category, is that right?

Mr. ENGEL. You may conclude anything you want.

Mr. VELDE. Well, do you include it?

Mr. ENGEL. I have, Mr. Velde, contempt for your antilabor record and for the witch-hunting activities that this committee has indulged in, and that goes for Mr. Clardy in spades.

Mr. CLARDY. Thank you.

Mr. ENGEL. You are welcome.

Mr. CLARDY. Mr. Doyle, do you have any questions?

Mr. DOYLE. Yes, I do, Mr. Chairman. I couldn't help but notice that the witness did not include me as a witch hunter.

May I have exhibit No. 1, please?

Mr. CLARDY. Well, don't be too optimistic, Mr. Doyle.

Mr. DOYLE. Of course I come from a State where we don't have witches.

Mr. ENGEL. Mr. Jackson seems to disagree with you, sir. Of course I am glad to see the two-party system reinstituted here today.

Mr. CLARDY. You had better concentrate on what the learned Member from California is going to ask you. You may find some difficulty.

Mr. DOYLE. Mr. Engel, I present you with exhibit 1 which you have seen here before. I now call your attention again to the rear page thereof, and there appears to be there, after the printed words "signature of applicant," in writing, M-a-r-v-i-n Engel, date, July 12, 1949. Does that appear to be your signature?

Mr. ENGEL. May I consult with counsel?

Mr. DOYLE. Sure, consult with your counsel as long as you want as far as I am concerned.

(At this point Mr. Engel conferred with Mr. Weston.)

Mr. ENGEL. I have already declined to answer any questions concerning this document.

Mr. DOYLE. Now, will you please write your signature on that paper?

(At this point Mr. Engel conferred with Mr. Weston.)

Mr. DOYLE. Just as you ordinarily do.

Mr. ENGEL. My counsel informs me that I do not have to do that.

Mr. DOYLE. Well, I am asking you to.

Mr. ENGEL. Well, and I am refusing.

Mr. DOYLE. Well, are you doing it because your counsel tells you you don't have to, or are you relying on your own opinion?

Mr. ENGEL. Mr. Doyle, now just a minute. There is, I understand, supposed to be a sacred relationship between counsel——

Mr. DOYLE. That is correct, and I am a lawyer and I am respecting——

Mr. ENGEL. You are asking me about that sacred relationship.

Mr. DOYLE. I am not.

Mr. ENGEL. I am not a lawyer, but I know that much.

Mr. DOYLE. I am not asking you to tell me what your lawyer told you, that is a confidential matter between you. But I have a right to know whether by counsel's advice or on your own standing. That is all I am asking you.

Mr. ENGEL. I have my own pen, Mr. Doyle.

Mr. CLARDY. Will you use it?

Mr. ENGEL. No, sir; I will not. I don't think I have to. I will not do anything before this committee—I will not perform or jump through hoops or do anything I don't have to do before this committee, and I don't have to do that.

Mr. CLARDY. You may be surprised at what you have to do.

Mr. ENGEL. I may be, but you will be surprised in November, too.

Mr. DOYLE. May I finish this, please?

Mr. CLARDY. I don't know how to thank you for that. Mr. Doyle, will you proceed?

Mr. DOYLE. Did you sign an application for employment with the Chevrolet Co. on or about the 7th month, 12th day, 1949?

Mr. ENGEL. Mr. Doyle, I have already answered that question, I believe.

Mr. DOYLE. You haven't answered my question. I am asking you courteously.

Mr. ENGEL. Sometime in July I made application and filled an application out for employment in the Chevrolet plant of Flint.

Mr. DOYLE. Would you say this is or is not that application?

Mr. ENGEL. I refuse to answer that question on all the grounds I have already stated.

Mr. DOYLE. You have referred to Public Law 601 under which this committee functions. Regardless of what your answers may have been this morning up to date, I am going to ask you a few questions along a different line, and I wish to make this statement before I ask you those 2 or 3 questions. I am assuming because you have had the benefit of a public education at the expense of the taxpayers of the United States, so far as the schools are concerned, I mean their maintenance and so forth, that you naturally want to cooperate with the committee of your own Congress in fulfilling its legal obligations. That is a fair assumption, isn't it, on my part?

Mr. ENGEL. Well, now, I will——

Mr. DOYLE. Wouldn't you say that I have a right to assume that you as a young American, would want to cooperate with a committee of your own Congress in fulfilling its legal obligation?

Mr. ENGEL. Let me answer that question.

Mr. DOYLE. That is my question.

Mr. ENGEL. All right. Now let me answer it.

Mr. DOYLE. All right, go ahead.

Mr. ENGEL. I would be very anxious to cooperate with a committee of Congress that came into the State of Michigan to investigate the terrible situation of over 200,000 unemployed in this State.

Mr. DOYLE. Just a minute, please.

Mr. CLARDY. Just a minute, witness.

Mr. DOYLE. Let us be fair with each other. I don't ask you that question to give you a chance to propagandize any particular theory you have.

Mr. ENGEL. Do you think unemployment a theory in this State, sir?

Mr. DOYLE. Not at all. It is a fact which I regret, but nevertheless you know what the terms of Public Law 601 are. You have already shown that in the last hour. You are very familiar with it.

Mr. ENGEL. It is also a violation of the first amendment, and I hold the Constitution and the Bill of Rights to be sacred, sir.

Mr. DOYLE. Wait a minute. You mean Public Law 601 is a violation of the Constitution?

Mr. ENGEL. I believe so, yes; and if I didn't make it clear originally, I intended to.

Mr. DOYLE. Of course you know high courts have held it is not, so you differ——

Mr. ENGEL. The high courts also held in favor of the Dred Scott decision.

Mr. DOYLE. Just a minute. That is beside the point. You know that.

Mr. ENGEL. It is not. There will come a time when this committee and 601 will be kicked out the door.

Mr. CLARDY. Never mind.

Mr. DOYLE. May I state this to you then: I hoped that I would get respectful cooperation from you on one point, but I am frank to state, having sat with this committee for some time in different cities of the United States, that the line you gave this morning in answering these questions to this committee is a very familiar line known to me as a result of my experience in this country of the Communist Party. The same sort of answers, the same sort of arguments, and I——

Mr. CLARDY. Same sort of conduct also, Mr. Doyle.

Mr. DOYLE. I just regret that I can't get a respectful bit of cooperation from you on the frank question that I am asking you. I am not trying to lecture you, sir. I am not trying to lecture you, and so I will not question any longer because I see you have no respect for this committee, even as a legal committee of the United States Congress, which I regret very much, sir.

Mr CLARDY. Witness, I have one vital question that I ask you to ponder very well before you reply.

Mr. ENGEL. I know what it is before you ask it.

Mr. CLARDY. Will you remain quiet, please? Have you ever been or are you now a member of any organization whose avowed purpose is the destruction of this Government through the use of force and violence? You may decline to answer if you desire.

Mr. ENGEL. If you, sir, have any information to that effect, take me to court and bring me up on charges where I can examine evidence, but don't cast aspersions and charges under the cloak of congressional immunity. Of course I decline to answer that question here, but you take me into court, and we will fight it out there.

Mr. CLARDY. You are declining to answer?

Mr. ENGEL. I certainly do, and very indignantly, I might add.

Mr. CLARDY. Very well.

Mr. DOYLE. Mr. Chairman, may I just have the record show this: Of course the witness knows that this committee does not pretend to be a court nor a jury——

Mr. ENGEL. Oh, but it does.

Mr. DOYLE. Just a minute now. You well know that we don't. We never have and never can under the law in which we function. We have no function as a court, but under Public Law 601 we are a fact-finding body with reference to subversive propaganda and activities, that is all.

Mr. ENGEL. Activities is not in there. The word is not in Public Law 601. Read it out here. The name of this committee is a misnomer.

Mr. CLARDY. Witness, you are going to lose your voice if you don't curb that——

Mr. DOYLE. I am perfectly familiar with the fact that the Communist Party relies on that argument whenever and wherever it can.

Mr. CLARDY. Do you have any further questions, Mr. Tavenner?

Mr. ENGEL. Why don't you read 601?

Mr. TAVENNER. I have no further questions.

Mr. CLARDY. The witness is dismissed, and we will take a 5-minute recess to accommodate Miss Reporter.

(Whereupon, at 10:43 a. m., the hearing was recessed to reconvene at 10:48 a. m.)

(Whereupon, at 10:54 a. m., the hearing was reconvened.)

Mr. CLARDY. The committee will come to order, please. Call your next witness, Mr. Tavenner.

Mr. TAVENNER. Mr. George W. Fox, will you come forward, please?

Mr. CLARDY. Hold up your right hand. You do solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FOX. I do.

Mr. CLARDY. You may be seated. Will counsel please identify himself?

Mr. NEWBLATT. Harry Newblatt.

Mr. FOX. I would like to have no pictures taken while I am——

Mr. TAVENNER. What is your name, please, sir?

TESTIMONY OF GEORGE WHITMAN FOX, ACCOMPANIED BY HIS COUNSEL, HARRY NEWBLATT

Mr. FOX. My name is George Whitman Fox.

Mr. TAVENNER. When and where were you born, Mr. Fox?

Mr. FOX. I was born in Detroit on September 21, 1922.

Mr. TAVENNER. Where do you now reside?

Mr. FOX. I live at Flint, Mich.

Mr. TAVENNER. What is your occupation?

Mr. FOX. I am a brooch operator.

Mr. TAVENNER. I am sorry, I couldn't hear you.

Mr. FOX. I am a brooch operator for the Chevrolet manufacturing.

Mr. TAVENNER. Will you state that again, please?

Mr. FOX. A brooch operator.

Mr. TAVENNER. How long have you been employed by the Chevrolet Motor Co.?

Mr. Fox. Since July 1949.

Mr. TAVENNER. What was the nature of your employment when you first began to work for Chevrolet?

Mr. Fox. I was——

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. Fox. I would like to request that no pictures be taken while I am giving testimony.

Mr. CLARDY. Very well. Proceed.

Mr. Fox. I was a product handler.

Mr. TAVENNER. I am sorry, I am having difficulty hearing you.

Mr. CLARDY. Yes, will the witness keep his voice up. The competition outside from the manufacturing in this community makes it rather difficult to hear.

Mr. Fox. I was a product handler.

Mr. TAVENNER. A product handler?

Mr. Fox. That is right.

Mr. TAVENNER. What does that mean?

Mr. Fox. I was handling the products of the plant where I worked.

Mr. TAVENNER. Well, what was the nature of the work you do in handling products?

Mr. Fox. This was in the sheet-metal plant. It was the part known as the air duct.

Mr. TAVENNER. Known as what?

Mr. Fox. Air duct.

Mr. TAVENNER. Air duct?

Mr. Fox. Yes, for the ventilating systems in the car.

Mr. TAVENNER. What was the nature of the work that you actually performed?

Mr. Fox. I was hanging these pieces on a line, on a conveyor, to go through a paint——

Mr. TAVENNER. You put these pieces of metal on a conveyor?

Mr. Fox. That is right.

Mr. TAVENNER. Where they were taken into the paint shop?

Mr. Fox. Yes.

Mr. TAVENNER. That was your first employment. How long did you continue in that type of work with Chevrolet?

Mr. Fox. About 10 months.

Mr. TAVENNER. Will you tell the committee, please, whether you have had any special training for this job of handling products?

Mr. Fox. It needed no special training.

Mr. TAVENNER. You needed none, that is true. But what had been your educational training?

Mr. Fox. I was educated in the public schools of the State of Michigan. I went to grammar school at Smith-Troy in Oakland County.

Mr. TAVENNER. Would you elevate your voice a little? For some reason it is difficult to pick up.

Mr. Fox. I feel like I am talking at the top of my voice as it is. I attended Smith-Troy grade school in Troy Township, Oakland County, Mich. I attended Claussen High School in the city of Claussen, Mich., and I graduated from Michigan State College in East Lansing.

Mr. CLARDY. That was from the school of civil engineering, was it not?

Mr. Fox. That is correct.

Mr. TAVENNER. You had a civil engineering job, and you took this job that required no special preparation or training whatever; that is correct, isn't it?

Mr. FOX. That is correct.

Mr. TAVENNER. Were you a member of the Communist Party at the time that you took the job with Chevrolet?

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. FOX. I decline to answer this question as it infringes on the right of free speech and assembly as guaranteed by the first amendment to the Constitution and the implied right of silence. I decline to answer that question as it infringes upon the right against unreasonable search and seizure as guaranteed by the fourth amendment to the Constitution. I decline to answer this question as it infringes on the guarantee of the fifth amendment to the Constitution against being compelled to be a witness against myself because it may tend to incriminate me and because it deprives me of life, liberty, and property without due process of law.

Mr. CLARDY. Proceed, Mr. Tavenner.

Mr. TAVENNER. Did you rely on the fifth amendment in part?

Mr. FOX. I do.

Mr. CLARDY. Henceforth, witness, if you desire to decline, you may say on the grounds previously stated, and that will be ample for your purpose.

Mr. TAVENNER. Did you confer with the leadership of the Communist Party in Ann Arbor or any other place regarding the nature of your employment before you applied for the position with Chevrolet? I was mistaken in saying Ann Arbor. I should have said at Lansing.

Mr. FOX. I decline to answer that question because I don't have to consult with anybody as to where I am going to work, and also for the reasons previously stated.

Mr. TAVENNER. When did you receive your degree in engineering?

Mr. FOX. Well, I received my degree in June of 1949.

Mr. TAVENNER. How soon after that was it that you applied for the position at Chevrolet?

Mr. FOX. In July of——

Mr. TAVENNER. In July, the next month?

Mr. FOX. The next month.

Mr. TAVENNER. It seems more than passingly strange that a person who had just completed his scholastic training and had been awarded a degree in civil engineering should, in 1 month's time take a position as the handler of products which required no preparation or training of any kind. What was your reason for seeking that type of employment?

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. FOX. It was merely that I wanted to get employment immediately at that time.

Mr. TAVENNER. Was that the only reason?

Mr. FOX. Yes, sir; that was the only reason that I——

Mr. TAVENNER. That you wanted to get employment?

Mr. FOX. Yes.

Mr. TAVENNER. All right.

Mr. CLARDY. Were you acquainted with the several other people who have been named in the proceedings as having obtained employment in Flint at about the same time? In other words, during the month of July or shortly thereafter?

Mr. FOX. I decline to answer on the grounds previously stated.

Mr. CLARDY. Proceed.

Mr. VELDE. Did you ever seek employment where your civil engineering degree would be useful?

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. FOX. Will you repeat the question, please?

Mr. VELDE. Have you ever sought any type of employment wherein your civil engineering degree would be a requirement for that employment?

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. FOX. I decline to answer that question on the grounds previously stated.

Mr. CLARDY. Proceed, Mr. Tavenner.

Mr. TAVENNER. Isn't it true that in 1949 there was a large demand for the employment of persons with the degree of civil engineering?

Mr. FOX. I do not know.

Mr. TAVENNER. Then you did not inquire, did you?

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. FOX. Inquire as to what?

Mr. TAVENNER. As to the possibility of getting a lucrative position as a civil engineer.

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. FOX. I have already declined to answer that question.

Mr. CLARDY. Well, are you doing so now?

Mr. FOX. I am.

Mr. TAVENNER. You stated that you wanted to get a job at the Chevrolet plant. Why did you want to get a job at the Chevrolet plant?

Mr. FOX. I did not say that I wanted to get a job at the Chevrolet plant.

Mr. TAVENNER. Then I misunderstood you. What did you say?

Mr. FOX. I said I wanted employment.

Mr. TAVENNER. Why did you seek employment at the Chevrolet plant?

Mr. FOX. They were hiring.

Mr. CLARDY. Let me put the question a little differently. You used the words a trifle differently than what Mr. Tavenner used. Were you seeking employment at Chevrolet for some special reason?

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. FOX. I sought the job because I wanted to make a living, and if you have any other grounds, I decline on the grounds previously stated—if you have any other reasons for asking that question, I decline on the grounds I have already stated.

Mr. CLARDY. The reason I asked the question was to ascertain the fact. I repeat it again, slightly differently, was there any reason other than a mere desire to go to work somewhere in the back of your mind that impelled you to go to Chevrolet and ask for a job?

Mr. FOX. I decline to answer that question on the grounds previously stated, and I will decline to answer any similar questions for the same——

Mr. CLARDY. You don't have to anticipate our questions. We will ask them one at a time and you may reply.

Mr. FOX. Well, you have asked me this question 2 or 3 times already.

Mr. CLARDY. We may ask it 2 or 3 times again.

Mr. FOX. I will still decline.

Mr. CLARDY. Will you proceed.

Mr. TAVENNER. Did you become a membber of the Chevrolet Club of the Communist Party soon after your employment at Chevrolet?

Mr. FOX. I decline to answer that question on the grounds previously stated.

Mr. TAVENNER. I would like to inquire some as to your knowledge of Communist Party activities, if you have any, while you were in attendance at Michigan State College. While in attendance at that school were you a member of the Michigan State College chapter of the American Youth for Democracy?

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. FOX. I decline to answer on the grounds previously stated.

Mr. CLARDY. Witness, I believe you are a brother, are you not, of Richard Fox?

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. FOX. I decline to answer on the grounds previously stated.

Mr. CLARDY. Come, now, witness. I must direct you to answer that. I am merely seeking to inquire whether you are a brother.

Mr. DOYLE. Is that for the purpose of identification?

Mr. CLARDY. Surely. I have a further question as to whether they were on the campus at the same time.

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. CLARDY. Whether they lived together.

Mr. FOX. I still decline to answer that question.

Mr. CLARDY. Did you attend college at the same time that Richard Fox was a student there?

Mr. FOX. When was Richard Fox a student at Michigan State College?

Mr. CLARDY. Oh, now, witness, you know that. When were you a student?

Mr. FOX. Well, I was a student from 1946 through 1949.

Mr. CLARDY. Now was there a Richard Fox attending M. S. C. during that period?

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. FOX. There might have been.

Mr. CLARDY. Don't you know?

Mr. FOX. No, I do not know.

Mr. CLARDY. Where did you live when you were attending M. S. C.?

Mr. FOX. Repeat the prior question.

Mr. CLARDY. We have passed that one. Where were you living when you were a student at M. S. C.?

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. FOX. Will you allow me to reanswer the prior question?

Mr. CLARDY. Do you want to change your answer?

Mr. FOX. Yes.

Mr. CLARDY. You may do so.

Mr. FOX. Would you restate it?

Mr. CLARDY. Will you read him the question?

(The question was read by the reporter as follows:)

Now was there a Richard Fox attending M. S. C. during that period?

Mr. CLARDY. Is that the question you want to change?

Mr. FOX. Yes.

Mr. CLARDY. All right. What is your answer now?

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. FOX. There could have been, and I am not sure. There might even have been 2 or 3 Richard Foxes on the campus and perhaps this Richard Fox is not the one that was on the campus at that time.

Mr. CLARDY. I can't hear that last. This competition is rather keen, as you know. That truck is pretty loud out there, probably a General Motors product.

Mr. FOX. I say that there may have been a Richard Fox on campus. There may have been several Richard Foxes on campus. It is a common name, and it may not have been the Richard Fox that appeared before your committee in Lansing according to the newspapers.

Mr. DOYLE. May I ask, did your brother attend the college either at the time you were there or before or afterwards? That is a matter of your own personal knowledge.

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. DOYLE. A simple question.

Mr. FOX. I decline to answer that question on the grounds previously stated.

Mr. CLARDY. Did you attend the hearings of the committee, this committee, at Lansing?

Mr. FOX. Yes, it was a public hearing.

Mr. CLARDY. Did you see and were you present at the time that the Richard Fox testified before this committee?

Mr. FOX. When did he appear?

Mr. CLARDY. I am asking you the question. You are not asking us.

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. FOX. I was not there.

Mr. CLARDY. You knew a Richard Fox did testify before us at Lansing?

Mr. FOX. Yes, I read it in the newspapers.

Mr. CLARDY. Was that not your brother?

Mr. FOX. I refuse to answer that question on the grounds previously stated.

Mr. CLARDY. Proceed, Mr. Tavenner.

Mr. TAVENNER. Did you attend a meeting near the middle of September 1949 at a farm near Columbiaville, Mich.; that is, a meeting that was held there by the youth group of the Communist Party, and which was conducted by Jack Gore and Jack White?

Mr. FOX. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Did the leadership of the Communist Party in Flint at that meeting assign you to work in Communist Party matters in the Chevrolet plant?

Mr. FOX. I refuse to answer that question on the grounds previously stated. I work in the Chevrolet plant to make a living. I work 8 hours a day as a brooch operator. I have a home to pay for, and I missed a half day yesterday being present to appear before this committee.

Mr. TAVENNER. How many days did you miss from your work in working for the Communist Party?

Mr. FOX. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. I hand you a document here and ask you to state if you recognize it.

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. TAVENNER. Is it a bill or invoice made out to you as consignee?

Mr. FOX. Would you repeat that question, please?

Mr. CLARDY. Read it, Miss Reporter.

Mr. TAVENNER. Mr. Chairman, I may want to change the language of it.

Mr. CLARDY. Very well.

Mr. TAVENNER. Is the bill made out to Jack White as consignee, but signed by you as consignee?

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. FOX. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Did you receive a shipment of the Michigan Worker on the date indicated by the document?

Mr. FOX. I decline to answer on the grounds previously stated.

Mr. TAVENNER. You have spoken about the loss of time from your work. Didn't you engage in considerable work in the distribution of the Michigan Worker?

Mr. FOX. I decline to answer that question on the grounds previously stated.

Mr. CLARDY. Mr. Tavenner, the Michigan Worker should be identified.

Mr. TAVENNER. Yes, sir. I desire to introduce the document in evidence and ask that it be marked "George Fox Exhibit No. 1."

Mr. CLARDY. It will be received.

(The invoice above referred to, marked "George Fox Exhibit No. 1" for identification, was received in evidence.)[1]

Mr. DOYLE. May I have it read, Mr. Tavenner, so I will understand what it is?

Mr. TAVENNER. Yes, sir; I plan to read it right now, but before doing so, may I comply with the chairman's request as to the identification of the Michigan Worker. As the chairman probably recalls, Johnson exhibit No. 1, which was introduced in evidence at Detroit, showed that one of the principal objectives of the Communist Party in putting into effect its plan of concentration of Communist Party activities in the industry in this area devoted 3 or 4 paragraphs to making the Michigan Worker, and I quote here,

the main mass ideological instrument of carrying through the concentration objectives of the party.

Mr. CLARDY. The Chair recalls that very well, Mr. Tavenner.

Mr. TAVENNER. Now, the document which has been introduced in evidence as George Fox exhibit No. 1 reads as follows—it is a waybill—

Destination, Flint, Michigan. Consignee, Jack White. Forwarding city, Detroit. The shipper, Michigan Worker. One package, bundle, weight, 14 pounds. Amount prepaid in cash, 85 cents. Waybill date, October 12, 1951. Tax, 3 cents. Total charge, 88 cents.

[1] Retained in committee files.

At the place marked "consignee sign here" is the signature George Fox.

Now I hand you the document again, Mr. Fox, and ask you if that is your signature.

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. TAVENNER. Will you look at it please? Examine it carefully.

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. TAVENNER. Now, is that your signature?

Mr. Fox. I decline to answer for reasons previously stated.

(Representative Harold H. Velde left the hearing room at this point.)

Mr. TAVENNER. I hand you a leaflet entitled "What's It To You?" and I will ask you to examine it and state whether or not you have seen it before or one similiar to it?

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. Fox. I decline to answer for the reasons previously stated.

Mr. TAVENNER. I desire to introduce the document into evidencce and ask that it be marked "George Fox exhibit No. 2."

Mr. CLARDY. It will be received.

(Leaflet entitled "What's It To You?" marked George Fox exhibit No. 2 was received in evidence.)[1]

Mr. DOYLE. May I ask, Mr. Tavenner, is the Michigan Worker a newspaper now in circulation or what?

Mr. TAVENNER. I am going to explain it in just 1 minute, if you please.

Mr. DOYLE. All right.

Mr. TAVENNER. Isn't it a fact that you engaged in the work of passing this leaflet out at the Chevrolet gates on November 14, 1951, to employees of the plant?

Mr. Fox. I decline to answer that question on the grounds previously stated.

Mr. TAVENNER. The document which I have just introduced in evidence as George Fox exhibit No. 2 related to the conviction, the trial and conviction, of various persons under the Smith Act. As 1 of the members of the committee, possibly 2, who are now sitting, were not here when the document, Johnson exhibit No. 1, was introduced in Detroit, I should call attention of the committee to the fact that another one of the purposes of the document in directing Communist Party members how they should put into effect the plan to concentrate Communist Party activities on General Motors in this area stated that part of the struggle should be organizing to bring the case of the 12 before their fellow workers in local unions.

This document is too long to read in its entirety, but it refers to Jack Hall, vice president of the International Longshoremen's Union, organizer of the sugar workers in Hawaii, and poses the statement that he is victim No. 64 under the Smith Act.

Then in large type follows the statement:

The big question facing every American worker is who will be victim No. 65.

The rest of the article is an attack upon the Smith Act trial and concludes:

[1] Retained in committee files.

It's time to speak up now. It is time to fight for repeal of this antilabor decision now.

That is the decision in the Smith Act case.

This is a fight for your union. This is a fight that affects you.

Now, actually the matter, Mr. Fox, was a matter which affected the Communist Party members in the union, not the union, isn't that true?

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. Fox. Will you restate the question?

Mr. TAVENNER. Will you——

Mr. Fox. No, put it in a different form.

Mr. TAVENNER. You would like it in a different form. Very well, sir. Were you not aware on November 14, 1951, that the Smith Act cases were cases which related to members of the Communist Party, because of their Communist Party membership and not because of membership in any union or any other organization?

Mr. Fox. I decline to answer that question on the grounds previously stated.

Mr. TAVENNER. You did participate, did you not, at that time in carrying out the directive of the State organization of the Communist Party in attacking the Government's prosecution of the Smith Act cases?

Mr. Fox. I decline to answer that question on the grounds previously stated. You are trying to inquire as to my opinions. I would freely state them outside of this hearing room, but here I am under oath, and something I might say might be used against me.

Mr. TAVENNER. Yes, sir; it is important to stick to the truth.

Mr. CLARDY. If you tell the truth, there is nothing that can be used against you. If you commit perjury, obviously it can and probably will be, but only under those circumstances.

Proceed, Mr. Tavenner.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. Fox. I refuse to answer that question on the grounds already stated.

Mr. TAVENNER. Have you ever been a member of the Communist Party?

Mr. Fox. I refuse to answer that question on the grounds already stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. CLARDY. Mr. Doyle?

Mr. DOYLE. I think I have a couple of questions I hope the witness will cooperate on. As far as I am concerned, Mr. Witness, the reason I am on this committee here this morning is that I am assigned as a member of this committee to function under Public Law 601, which directs that this committee shall investigate the extent and character of subversive and un-American activities in the United States. Before I ask you this question I just wish to make a brief statement so you will get the background of it, because I know you are a worker in industry, and I presume a member of some union, although it is immaterial to me on that point where you are or not. I am not interested in what union you are a member of or whether or not you are a member of a union, contrary to what another witness said before you, but I am familiar with the fact that generally speaking over the United States the Communist Party in America has been trying to in-

filtrate for several years and get control of organized labor in various vicinities of our Nation.

That is true out in certain areas out in my State in California, and the leaders in organized labor out there don't deny it. They have been cleaning house out there of the Communists, and I am informed that the Commies have been trying to get control or keep control of certain segments of organized labor in the Flint and the Detroit area. I am not asking your opinion or your political philosophy of any sort on this question, but we are here as a committee of your Congress—as much your Congress as it is mine—as a legally constituted committee. You may disagree for the use of such a committee existing, but there is such a committee existing. We are here as the arm of your Congress to investigate and report back to Congress what we can find out about the extent to which there is subversive activities and propaganda in the Flint and Detroit area.

Now, I am going to assume, in asking this question, that you will naturally cooperate with a committee of your own Congress because your Congress, as you well know, has found that there is ample evidence to show that the American Communist Party is part of a world conspiracy to overthrow by force and violence our constitutional form of government.

Now, on that basis I am here, and the question I am interested in, the big subject I am interested in, naturally you are an American citizen the same as I am, and I think I have a right to expect your cooperation. I think I have a right to expect you to put yourself out quite a little bit to help this committee know what you know, if anything, about the extent of the Communist Party movements in this area because your Congress has found without contradiction that the American Communist Party is part of a world conspiracy.

Now, with that background I am going to ask you, do you know of any Communist Party activities in the last 5 or 6 years since you got your civil engineering degree and went to work for the Chevrolet Co.?

Mr. Fox. Mr. Doyle, I am as good an American as you are. I volunteered to serve in the United States Army in 1942 after Pearl Harbor was attacked. I served honorably for three and a half years.

Mr. Doyle. You may be as good an American citizen as I am because I didn't have the honor to serve in the armed services, but my only boy gave his life in the uniform of the Air Force in the last war, so I will have to do it through him, don't you see.

Mr. Fox. I sympathize with you.

Mr. Clardy. Answer the question, witness.

Mr. Fox. I decline to answer the question on the grounds previously stated.

Mr. Doyle. May I say then just this to you, sir: I am a lawyer, and I, of course, respect any witness who in good faith stands upon his constitutional rights. I expect a witness, if he is in good faith and conscience, to stand upon his constitutional rights. In making this statement to you, I don't apply it to you, but I am more, as an American citizen and member of a congressional committee, interested generally.

Your answer leads me to ask you 2 or 3 other questions. I ask them very directly.

Were you ever a member of the American Communist Party, either at college or since?

Mr. Fox. I refuse to answer that question on the grounds previously stated, and I am stating them in good faith, Mr. Doyle.

Mr. Doyle. Well, of course that goes into your own philosophy, and you are volunteering now that as a matter of philosophy it is in good faith. I didn't question what your philosophy was, but I think you volunteered it.

This paper I asked about, the Michigan Worker, are you familiar with the Michigan Worker?

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. Doyle. What is it? I don't know.

Mr. Fox. I decline to answer that question on the grounds previously stated.

Mr. Doyle. Well, it is a publication, isn't it, a legal publication? How can that incriminate you, a legal publication in the State of Michigan?

Mr. Fox. I still decline to answer the question on the grounds previously stated.

Mr. Doyle. I am not asking you if you are employed by it; I am just asking you if you know what it is. I hand you a copy of——

Mr. Clardy. That is the resolution, Mr. Doyle. I think the copy of the Michigan Worker is here in front of Counsel.

Mr. Doyle. Well, are you familiar with this resolution, a copy of which I hand you? Have you ever read it? It is only a question to refresh your memory.

Mr. Fox. I decline to answer the question on the grounds previously stated.

Mr. Doyle. Well, now, this resolution entitled "Resolution on Concentration for Discussion at All Clubs, Sections, Commissions, and Departments," and then paragraph 1 reads:

Our party in Michigan has a great responsibility—

and I am quoting from paragraph 1. Do you wish to see, Counsel, that I do quote exactly?

Mr. Newblatt. Yes, sir.

Mr. Doyle (continues reading):

Our party in Michigan has a great responsibility to move the auto workers into struggle against their exploiters—the auto barons and their stooges in government. The auto monopolists are a key section of American imperialism, which seeks political and economic domination of the world, and the crushing of the people's democracies and the Soviet Union through a predatory war—

end of paragraph 1.

Reading on page 2, third from the last paragraph:

Our State committee has just reviewed 9 months of concentration work by our party, since the last State convention. In that time our party has increased its attention to the problems of the auto workers. The face of our party has been presented to the auto workers to a greater degree than in the past 10 years. We have seen the development of economic struggles, dramatized in the Ford strike against speedup, despite the stifling attempts of Reuther. A beginning has been made in the development of the united front from below.

The second from the last paragraph on page 2 of this resolution:

This period of time has seen the consolidation of some party shop clubs, an improvement in the sale of party literature, a greater utilization of the Michigan Worker as the major instrument for the concentration work. Among our comrades in auto, there is higher morale, and greater confidence in the determination of the State leadership of the party to decisively influence the auto workers.

Now on page 5 of the same resolution:

For making the Michigan Worker the main mass ideological instrument of carrying through the concentration objectives of the party. In the past 3 months the concept of the Michigan Worker as the mass ideological instrument for carrying party policy to the auto workers has slipped into the background of our practical work.

I will ask you if the Michigan Worker referred to in this resolution by the state Communist Party of Michigan is the same Michigan Worker described in the shipping receipt which you are alleged to have signed as consignee and which has been produced in this room as evidence.

Mr. Fox. I decline to answer that question on the grounds previously stated.

Mr. Doyle. Well, apparently you don't care about helping a committee of your own Congress to learn anything about the functioning of the Communist Party in this area.

(At this point Mr. Fox conferred with Mr. Newblatt.)

Mr. Doyle. So I have no other questions to ask.

Mr. Clardy. Very well. Any further questions, Mr. Tavenner?

Mr. Tavenner. No, sir.

Mr. Clardy. Witness dismissed.

Mr. Tavenner. Mrs. Geneva Borod, will you come forward, please?

Mr. Clardy. You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. Borod. I do.

Mr. Clardy. You may be seated. Will counsel identify herself for the record?

Mrs. Borod. I would like to make a request that photographers do not take pictures during the hearing.

Mr. Clardy. I can't hear you.

Mrs. Borod. I would like to request that photographers do not take pictures during the hearing.

Mr. Clardy. Very well.

Mrs. Borod. I would like to make a further request——

Mr. Clardy. Let us get counsel identified on the record first, if you don't mind.

Mr. Wistrand. Bruce Wistrand.

Mr. Clardy. What was your further request?

Mrs. Borod. I would like to make a further request that those photographers of the State police and the FBI identify themselves, all those photographers not gentlemen and ladies of the press.

Mr. Clardy. Well, there happens to be someone here from a very illegitimate publication published and put out by the Communist Party. So long as we permit that subversive organization to have representation present, I will permit the law-enforcing agencies of this country to take pictures, to listen to the testimony, and to do that which will protect America from the danger of a Communist revolution.

Mrs. Borod. I do not know that any publication is illegal.

Mr. Clardy. That is all we will entertain. Your request is denied emphatically and underscored.

Mrs. Borod. May I give the reason for my request?

Mr. CLARDY. You may not because it has been declined. Will you proceed, Mr. Tavenner?

Mr. TAVENNER. What is your name, please?

TESTIMONY OF GENEVA BOROD, ACCOMPANIED BY HER COUNSEL, BRUCE WISTRAND

Mrs. BOROD. Geneva Borod.

Mr. TAVENNER. Is that your married name?

Mrs. BOROD. Yes, it is.

Mr. TAVENNER. What was your maiden name?

Mrs. BOROD. Olmsted.

Mr. TAVENNER. B-o-r-o-d?

Mrs. BOROD. That is correct.

Mr. TAVENNER. Where were you born?

Mrs. BOROD. I was born on a farm on the tip of the Tittabawassee River in Saginaw County, on a farm that was settled and cleared of its land by my great grandfather who came to this country, along with my other forefathers, and millions of other Americans who escaped persecution of committees such as this.

Mr. DOYLE. They came, didn't they, before the United States was a government? They had no knowledge of any committees such as this when they came to this country, your forefathers.

Mrs. BOROD. The inquisitions originated throughout history in the 17th century in England, inquisitions of Joan of Arc, of Salem, these—

Mr. CLARDY. Witness, we have been charged with a lot of crimes, but never with lynching Joan of Arc before. Will you do something that I am sure will be helpful to the committee and spell——

Mrs. BOROD. I request photographers do not take——

Mr. CLARDY. Will you spell that difficult word, Tittabawassee, for our reporter, because I am sure as a stranger to Michigan and probably a nonfishing one, she couldn't spell that. Will you spell it?

Mrs. BOROD. I think that she can find that in the dictionary.

Mr. CLARDY. Can you spell it for us? Did I pronounce it correctly? I know how to spell it but I just want to be sure that we get it correct.

Mrs. BOROD. I don't know if you said it right or not. Say it again.

Mr. CLARDY. Pronounce it again so I will be sure.

Mrs. BOROD. Tittabawassee.

Mr. CLARDY. I will spell it for you, Miss Reporter, after it is over. She won't cooperate on this. Proceed, Mr. Tavenner.

Mr. TAVENNER. Where do you now reside?

Mrs. BOROD. Flint, Michigan.

Mr. TAVENNER. How long have you lived in Flint?

Mrs. BOROD. Approximately 6½ to 7 years.

Mr. TAVENNER. When did you come to Flint to make it your residence?

Mrs. BOROD. In the fall of 1942.

Mr. TAVENNER. 1942?

Mrs. BOROD. That is correct.

Mr. TAVENNER. Had you lived here constantly since 1942?

Mrs. BOROD. No, I have not.

Mr. TAVENNER. When did you return to Flint to make it your residence?

Mrs. BOROD. I returned to Flint to make it my residence in 1949.

Mr. TAVENNER. What month during 1949?

Mrs. BOROD. August, I think.

Mr. TAVENNER. August of 1949. Did you return to Flint for employment?

Mrs. BOROD. I did.

Mr. TAVENNER. What was the nature of the employment?

Mrs. BOROD. I came to get a job.

Mr. TAVENNER. What kind of a job?

Mrs. BOROD. Any job I could get that would give me a wage.

Mr. TAVENNER. What kind of a job did you get?

Mrs. BOROD. I hired into AC Spark Plug, division of General Motors.

Mr. TAVENNER. When did you obtain the position in AC Spark Plug?

Mrs. BOROD. I obtained it in the fall of 1942. I worked for 18 months there, and then I returned to the job at AC in the fall of 1949.

Mr. TAVENNER. How long did you retain that position? Are you still employed there?

Mrs. BOROD. I am.

Mr. TAVENNER. Have you engaged in any other occupation in Flint?

Mrs. BOROD. Any other occupation? I don't understand what you mean.

Mr. TAVENNER. Yes, any other work besides that. For instance, have you taught—have you engaged in teaching at any time since you have been in Flint?

(At this point Mrs. Borod conferred with Mr. Wistrand.)

Mrs. BOROD. I don't understand.

Mr. TAVENNER. Do you have a teacher's certificate?

Mrs. BOROD. I certainly have never taught or had a teacher's certificate.

Mr. CLARDY. I can't hear you.

Mrs. BOROD. I have never had a teacher's certificate.

Mr. TAVENNER. Have you engaged in teaching?

Mrs. BOROD. I have never——

(At this point Mrs. Borod conferred with Mr. Wistrand.)

Mrs. BOROD. That is a very vague question.

Mr. CLARDY. What is vague about it?

Mrs. BOROD. I told you I have not a teacher's certificate.

Mr. CLARDY. Well, the kind of teaching he has in mind wouldn't require a teacher's certificate. Please, no demonstration.

(At this point Mrs. Borod conferred with Mr. Wistrand.)

Mrs. BOROD. What kind of teaching have you in mind then?

Mr. CLARDY. Never mind.

Mr. TAVENNER. What kind have you done?

Mrs. BOROD. The things I have said, the things that I believe in, are my business. I think there is freedom to speak in this country and freedom to express your views and to listen to others.

Mr. CLARDY. It has been exercised readily in our hearings, I must say. Now, the question was quite simple. Come back to it again because I direct you to answer it.

Mr. TAVENNER. Have you engaged in teaching of any character since you have been living in Flint?

(At this point Mrs. Borod conferred with Mr. Wistrand.)

Mrs. BOROD. I can't answer the question unless I know specifically what you are speaking of. If it has any relevancy to this hearing—if you ask me specific questions as to what you are talking about, I will try to answer them.

Mr. CLARDY. That is as specific as it is possible to make it, unless you do not understand what the word "teaching" means.

Mr. DOYLE. Mr. Chairman, maybe I possibly can help the witness. Regardless of the fact that you say you don't have a teacher's certificate, have you enjoyed the privilege of teaching any group, any study group or any research group or any class, studying government or social science or philosophy of the Communist Party or the Democratic or Republican Party or the science of government in any way? Perhaps that will help you.

(At this point Mrs. Borod conferred with Mr. Wistrand.)

Mr. DOYLE. I don't know. I think that probably helps you—either for pay or without pay as a volunteer worker or instructor.

Mrs. BOROD. That is terribly vague to ask me a lot of questions and——

Mr. DOYLE. I tried to get across to you what the word "teaching" meant——

Mrs. BOROD. If you have something in mind specifically, I would ask that you say what you seem to be trying to suggest.

Mr. CLARDY. Witness, let me interject just a moment. You are obviously attempting to fence with Mr. Doyle. Now you understand perfectly well what he was asking you because he explained it in detail. You may, if you wish, continue to exhibit the attitude that you have from the moment that you came forward, but I suggest that it would serve your own purpose much better if you didn't pretend ignorance as to the meaning of that last question. Now, suppose you answer.

Mrs. BOROD. Is teaching of anything subversive or unlawful or criminal?

Mr. CLARDY. You say you have been teaching that?

Mrs. BOROD. No, I did not.

Mr. CLARDY. Well, I wasn't sure.

Mrs. BOROD. I asked the question.

Mr. CLARDY. Well, we ask the questions, if you don't mind, and you answer them. Now, Mr. Doyle's question is perfectly plain. Please answer.

Mrs. BOROD. Are you directing me to answer the question?

Mr. CLARDY. Yes.

Mrs. BOROD. Well, I will have to refuse to answer the question because this question is taking away the rights guaranteed to me by the Constitution and the Bill of Rights to freedom of speech and all the other rights under the first amendment, and will try to take away the rights given me under the fifth amendment which says I do not have to testify against myself.

Mr. DOYLE. Mr. Chairman, the witness' answer verifies my own thought, that the witness thoroughly understood the purport of my question and did at all times, even before she conferred with counsel, which you always have the right to do, of course. May I say to you

Madam Witness, I just wanted to make this clear, as a member of this committee I take this position as an American citizen and as a member of this committee of Congress, so that you are claiming the fifth amendment or any portion of the Constitution to get out of cooperating with the committee—I take this position, that I will fight for your rights to differ with me and to express your own viewpoints and appreciate your own philosophy and act as you want in my country as long as you do it within the four corners of the Constitution of the United States.

I don't know how any person could possibly be any broader in their concept of your rights as an American citizen than that. But I am aware that in this country the American Communist Party is part and parcel of a subversive conspiracy, and on that——

Mrs. BOROD. I think McCarthyism is the present danger to the United States. I think this is what should be investigated, the things going on——

Mr. DOYLE. This committee has no——

Mrs. BOROD. In Washington.

Mr. CLARDY. Pardon me. Mr. Doyle.

Mr. DOYLE. I just want to make it clear to you that which you already know. I just want to emphasize it. This committee has no connection with any committee of the Senate, and I just want to make that clear to you and everyone in the hearing room. This committee has no connection with any committee in the Senate, so when you try to prejudice other people against this committee by saying just what you have, you are simply not playing cricket.

Mr. CLARDY. You are voicing, as you well know, the Communist Party line, and——

Mrs. BOROD. You are making an assumption.

Mr. CLARDY. And anything you may say the public generally will understand.

Mrs. BOROD. The public generally is against McCarthy.

Mr. VELDE. No question is pending. Will you proceed, Mr. Tavenner, and I suggest that you ask her one question with respect to her participation in politics a few years ago.

Mr. TAVENNER. Do you desire that question asked now?

Mr. CLARDY. I think I would like to have it asked right now.

Mr. DOYLE. Well, I think, Mr. Chairman—I don't mean to disagree with my subcommittee chairman, yet I think I do with the form of your question, sir.

Mr. CLARDY. I haven't asked it, sir. I am suggesting that he ask the question.

Mr. DOYLE. I know, but when you say a question as to her politics——

Mr. CLARDY. No, her participation, and it will become apparent in a moment what we have in mind. I think you will agree with me when the question is asked.

Will you ask that, Mr. Tavenner? Would you prefer I ask it?

Mr. TAVENNER. No, sir.

I desire to hand the witness a document and ask her to examine it.

(At this point Mrs. Borod conferred with Mr. Wistrand.)

Mr. TAVENNER. Will you examine the document that is before you, please?

Mrs. BOROD. I see a document. That is your evidence. You are presenting it. I think that you are the one responsible for reading it.

Mr. CLARDY. Hold up, Mr. Tavenner. Witness, are you unable to comprehend the fact that——

(At this point Mrs. Borod conferred with Mr. Wistrand.)

Mr. CLARDY. That sort of attitude in the face of a committee of Congress is contemptuous in the extreme. You should cooperate more than that when we ask you merely to look at a document on which it unquestionably appears that your photograph and your name is printed. Now, will you do what Mr. Tavenner requested, please?

Will you comply with Mr. Tavenner's request and identify that document?

Mrs. BOROD. I will refuse to answer any question regarding this document.

Mr. CLARDY. Very well. Mr. Tavenner, I suggest——

Mrs. BOROD. Under the rights given me under the fifth amendment and all the other amendments.

Mr. CLARDY. We understood you were invoking all your rights.

Mr. Tavenner, will you take possession of that document and put the pertinent parts into the record right now?

Mr. DOYLE. May I have the question which was asked the witness read?

(The question was read by the reporter as follows:)

Will you examine the document that is before you, please?

Mr. CLARDY. She told Mr. Tavenner, as I recall, to do it himself, and I have reproved her—

Mr. DOYLE. Mr. Chairman, I move that the witness be directed to answer that question.

Mr. CLARDY. Well, I did once. I do it again. Will you examine the document?

Mrs. BOROD. I refuse.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked "Borod Exhibit No. 1."

Mr. CLARDY. It will be so received.

(The document entitled "Communist Candidates in Michigan," marked "Borod Exhibit No. 1," was received in evidence.) [1]

Mrs. BOROD. I object that this be received in evidence.

Mr. CLARDY. Well, how do you know what you are objecting to if you do not look at it?

Mr. DOYLE. She looked at it.

Mr. CLARDY. Well, she claims she wasn't, at any rate.

Mr. DOYLE. Manifestly she did.

Mr. CLARDY. I think she did, too; that is why I think she was in contempt of Congress when she said what she did.

Proceed.

Mrs. BOROD. You have already requested that this be put in without even reading it, without even saying what it is or anything.

Mr. CLARDY. Yes, I have. It is in the record.

[1] Retained in committee files.

Mr. TAVENNER. Maybe we will get it read. The document, Mr. Chairman, is a flyer entitled:

"Communist Candidates in Michigan. For United States Senator, Hugo Beiswenger, veteran; Abner Berry for secretary of state; Phillip Raymond for attorney general; Geneva Olmsted for State treasurer.

In d3, describing each of these individuals the photograph appears——

(At this point Mrs. Borod conferred with Mr. Wistrand.)

Mr. TAVENNER. Under the heading in black type of Geneva Olmsted for State treasurer appears the following language:

Served in a naval hospital in American theater for 18 months, having been discharged May 2, 1946. She is a native of Michigan and was educated in the State public schools. Miss Olmsted worked for a while in a war plant and attended art classes in New York before her naval service. She is unmarried and lives at present in Flint.

At the bottom:

Vote for Communists and labor-backed candidates November 5.

Now, were you a candidate for State treasurer of the State of Michigan on the Communist Party ticket?

Mrs. BOROD. Are you asking this question based on this evidence?

Mr. TAVENNER. I am asking you the question.

Mr. CLARDY. Did you complete your question, Mr. Tavenner?

Mr. TAVENNER. Yes, sir.

Mr. CLARDY. It is a little difficult to hear, and I wanted to be sure. Will you answer the question?

Mrs. BOROD. Is this a direction?

Mr. CLARDY. I am asking you at the moment.

Mrs. BOROD. Under the rules of procedure of this committee there are no rules of evidence. In other words, anything can be used as evidence, and I say that this is not in any manner evidence here.

Mr. CLARDY. Are you refusing to answer?

Mrs. BOROD. I refuse to answer anything about this evidence that you have——

Mr. CLARDY. Did the description of the candidate read by Mr. Tavenner accurately describe you as to name, experience, and the other things mentioned?

Mrs. BOROD. I refuse to answer that question under the fifth amendment and under the first amendment, and the other amendments guaranteed by the Bill of Rights.

Mr. CLARDY. Were you a member of the Communist Party at the period of time covered by the exhibit?

Mrs. BOROD. If this is true, that this took place, why was there no publicity in the big papers, to my knowledge? Why is this being brought up now such a longtime later?

Mr. CLARDY. Answer the question, please.

Mrs. BOROD. I refuse to answer the question on the grounds previously stated.

Mr. CLARDY. Very well. Mr. Tavenner, we have reached the point where in just a moment I shall recess. I can't do that without making this observation: All our forebears, including mine, I believe, came from across the water. You have no especial claim to distinction on that account.

We will now recess until 1:20.

(Whereupon, at 12:02 p. m., the hearing was recessed, to reconvene at 1:30 p. m. of the same day.)

AFTERNOON SESSION

(At the hour of 1:30 p. m. of the same day, the proceedings were resumed, Representatives Harold H. Velde, Kit Clardy, and Clyde Doyle being present.)

Mr. CLARDY. The committee will be in session, please.

Mr. TAVENNER. Mrs. Borod.

TESTIMONY OF GENEVA BOROD, ACCOMPANIED BY HER COUNSEL, BRUCE WISTRAND—Resumed

Mr. TAVENNER. Mrs. Borod, you stated that your first employment in Flint began in 1942. I do not believe that we asked you how long you remained employed in Flint at that time. Will you tell us, please?

Mrs. BOROD. Eighteen months.

Mr. TAVENNER. Do you recall the month of the year then in 1944 when your employment terminated?

Mrs. BOROD. Is that relevant?

Mr. CLARDY. Yes, that is a relevant question. Will you answer it, please?

Mrs. BOROD. I think it was April.

Mr. TAVENNER. You indicated that you left Flint at that time. Where did you go, please?

Mrs. BOROD. I attended a few months of school at Art Students League.

Mr. TAVENNER. In New York City?

Mrs. BOROD. That is correct.

Mr. TAVENNER. Then after the completion of the work at the New York art school what did you do?

Mrs. BOROD. I joined the United States Navy.

Mr. TAVENNER. Where did you serve while a member of the United States Navy?

Mrs. BOROD. Quite a few places.

Mr. TAVENNER. Well, how long were you in the United States Navy?

Mrs. BOROD. Eighteen months.

Mr. TAVENNER. What was the month of your discharge?

Mrs. BOROD. May 2.

Mr. TAVENNER. What year?

Mrs. BOROD. 1946.

Mr. TAVENNER. Did you become employed shortly after that?

Mrs. BOROD. No, I did not.

Mr. TAVENNER. When did you become employed again?

Mrs. BOROD. I don't remember the exact time.

Mr. TAVENNER. What was your next employment?

Mrs. BOROD. I worked in a little restaurant for a while.

Mr. TAVENNER. Where?

Mrs. BOROD. In Ann Arbor.

Mr. TAVENNER. Did you attend school at any place after 1946 when you got out of the Navy?

(At this point Mrs. Borod conferred with Mr. Wistrand.)

Mrs. BOROD. I attended the University of Michigan.

Mr. TAVENNER. Did you attend any other school besides the University of Michigan?

Mrs. BOROD. I attended Lamme School of Photography.

Mr. TAVENNER. Where.

Mrs. BOROD. In Denver, Colo.

Mr. TAVENNER. When did you attend that school? Over what period of time, and the dates, please?

Mrs. BOROD. The term of 1948, 1947–48.

Mr. TAVENNER. Was that after you had attended school at the University of Michigan?

Mrs. BOROD. That is correct.

Mr. TAVENNER. When did you complete your work in Denver?

Mrs. BOROD. 1948.

Mr. TAVENNER. What time during the year, I mean?

Mrs. BOROD. I think it was the end of February. Is this relevant? I can't remember the exact time.

Mr. TAVENNER. You think in February 1948. Where did you go after completion of your work in February 1948?

Mrs. BOROD. I came back to Michigan.

Mr. TAVENNER. What part of Michigan?

Mrs. BOROD. I think——

(At this point Mrs. Borod conferred with Mr. Wistrand.)

Mrs. BOROD. I don't recall exactly. I know I came back to this part of the country in 1948.

Mr. TAVENNER. What do you mean by "this part of the country"?

Mrs. BOROD. Michigan, the Midwest.

Mr. TAVENNER. Michigan is a very large part, I found out. What part of Michigan?

Mrs. BOROD. Well, I don't see what is relevant about this. What specifically do you want to know? Are you still asking me about my education?

Mr. TAVENNER. I am asking where you came to in Michigan upon completion of your work at the University of Denver. Will you answer the question, please?

Mrs. BOROD. I remained in Chicago for a while and then came to Michigan.

Mr. TAVENNER. How long were you in Chicago?

Mrs. BOROD. For about a summer.

Mr. TAVENNER. The summer of 1948?

Mrs. BOROD. That is correct.

Mr. TAVENNER. Were you employed there at that time?

Mrs. BOROD. I was.

Mr. TAVENNER. What was the nature of your employment?

Mrs. BOROD. I worked in a hospital. I was working in a hospital where hospitalization is needed, and I want it known that I am very much in disfavor of the vote that the committee chairman took in denying——

Mr. TAVENNER. That is not at all in response.

Mrs. BOROD. Extra benefits to hospitalization.

Mr. TAVENNER. It is not an answer to my question.

Mr. CLARDY. Witness, confine yourself, please, to answering the question. No diatribes about anything or anybody is proper here.

Mr. DOYLE. Mr. Chairman, I might ask the witness if she thinks that last remark is relevant.

Mrs. BOROD. I think it is.

Mr. CLARDY. Well, yours is indeed a peculiar form of logic. It is new to me, but we will pass that. Now proceed to give us the answer.

Mrs. BOROD. The answer to what?

Mr. CLARDY. The question that was propounded. You started off in the opposite direction from an answer. I am trying to bring you back to the homeplate so you can start out to make the circuit again.

Repeat the question, Mr. Tavenner, so she will not be in doubt.

Mr. TAVENNER. What was the nature of your employment in Chicago?

Mrs. BOROD. I worked in a hospital as a——

Mr. CLARDY. What was the name of the hospital?

Mrs. BOROD. As a corpswoman, working as a hospital aid in the hospital.

Mr. TAVENNER. What was the name of the hospital?

Mrs. BOROD. The hospital attached to the University of Michigan—University of Chicago.

Mr. TAVENNER. Then you left Chicago in August 1948. Did you then return to the State of Michigan?

Mrs. BOROD. Yes, I did.

Mr. TAVENNER. What part of Michigan did you return to? What place in Michigan?

Mrs. BOROD. I looked about in various places in Michigan, looking for a job.

Mr. TAVENNER. Well, what place——

Mrs. BOROD. I looked everywhere in Detroit and in Flint and in Saginaw and everywhere for a job, and because I was a woman, I was denied a job in the places where I searched because they were not hiring women——

Mr. TAVENNER. Will you answer the question?

Mrs. BOROD. Because of the discriminatory policies against women.

Mr. TAVENNER. Will you answer the question, please. To what place in Michigan did you return when you left Chicago?

Mrs. BOROD. I told you.

Mr. TAVENNER. Where?

Mrs. BOROD. Detroit, Flint, and many other places, searching for a job.

Mr. CLARDY. Where did you settle down?

Mrs. BOROD. I did receive a job in AC at General Motors in Flint.

Mr. DOYLE. Wasn't there discrimination there?

Mrs. BOROD. That is true. There is discrimination against women there. All other GM shops the people make 27 cents an hour at least more than the women in AC.

Mr. DOYLE. You got a job there, didn't you?

Mrs. BOROD. That is why you have called me up here because I am against the discriminatory wage policy at AC where General Motors makes in the department where I work off of about 1,500 women $842,000 a year, off these women, some $500 a year each individual.

Mr. CLARDY. Mr. Doyle, I think you should withdraw the question, and I will strike out the answer.

Mrs. BOROD. I object to this. This is part of the record.

Mr. CLARDY. Never mind, witness.

Mrs. BOROD. This is why you have called me up here.

Mr. DOYLE. Evidently the witness is ready to make a number of speeches.

Mrs. BOROD. I say the committee has come here at the time of our union elections to disrupt the union elections, to make communism the issue when the issue in the union elections is raising the rates of the workers and stopping this discriminatory policy of GM against the workers in AC.

Mr. CLARDY. Very well. Now, proceed, Mr. Tavenner. She has her little speech.

Mr. TAVENNER. You state you settled in Flint when you obtained the position at AC. I think you said your employment at AC began in August 1949. That is correct, isn't it?

Mrs. BOROD. As far as I remember, that is correct.

Mr. TAVENNER. How long were you in Flint before you received your employment in August 1949?

Mrs. BOROD. Oh, about a month or a few weeks.

Mr. TAVENNER. Then you returned to Flint sometime in the neighborhood of July or August 1949?

Will you tell the committee, please, where you were between August of 1948 and July or August of 1949?

(At this point Mrs. Borod conferred with Mr. Wistrand.)

Mrs. BOROD. What was the date that you asked me where I was?

Mr. TAVENNER. I asked you where you were between August 1948 when you left Chicago and August 1949 when you became employed at Flint.

Mrs. BOROD. Is this relevant to this hearing?

Mr. TAVENNER. Please answer the question.

Mrs. BOROD. But I don't see how it can be possibly relevant to this investigation.

Mr. CLARDY. You are directed to answer the question.

Mrs. BOROD. I was in Michigan.

Mr. TAVENNER. Where?

Mr. CLARDY. Where?

(At this point Mrs. Borod conferred with Mr. Wistrand.)

Mrs. BOROD. I think I will refuse to answer that question because I feel that this committee is trying to bring something up here involving my unemployment, that I was unemployed, looking for a job, and I stayed in Detroit, in Flint, in Saginaw, at my home, searching for a job during this period, and that is all I can say about it. If you want to be specific, then ask the question.

Mr. TAVENNER. Were you at that time, that is, between August 1948 and August 1949, married?

Mrs. BOROD. I was not.

Mr. TAVENNER. What was the date of your marriage?

Mrs. BOROD. I was married to my husband on New Year's Eve.

Mr. TAVENNER. Of what year?

Mrs. BOROD. 3½ years ago.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mrs. BOROD. As I answered before, I will have to refuse to answer that question again.

Mr. TAVENNER. Have you been a member of the Communist Party at any time?

Mrs. BOROD. And I will refuse to answer that question the same as before. Do you want me to give my reasons?

Mr. TAVENNER. If you rely on the same reasons, it is not necessary.

Mrs. BOROD. But there are other reasons, too, besides the first and the fifth.

Mr. CLARDY. Are they constitutional reasons, or are they in the category of these other extraneous remarks you have been making?

Mrs. BOROD. I don't think any of the remarks I have been making have been extraneous. This is a hearing.

Mr. CLARDY. I didn't expect you to agree with me, but you may take my word for it, they were. Do you have any other constitutional objections to raise other than those already put in the record?

Mrs. BOROD. At this time I will refuse to answer on the grounds that I previously used.

Mr. CLARDY. Very well. Proceed, Mr. Tavenner.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. CLARDY. Do you have any, Mr. Doyle?

Mr. DOYLE. No questions.

Mr. CLARDY. I have none either. Witness dismissed. Call your next witness.

Mr. TAVENNER. Mr. Howard Foster.

Mr. CLARDY. You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FOSTER. I do.

Mr. CLARDY. You may be seated. Will counsel identify himself for the record?

Mr. WISTRAND. Bruce Wistrand.

TESTIMONY OF HOWARD FOSTER, ACCOMPANIED BY HIS COUNSEL, BRUCE WISTRAND

Mr. TAVENNER. Will you state your name, please, sir?

Mr. FOSTER. My name is Howard Foster.

Mr. TAVENNER. When and where were you born, Mr. Foster?

Mr. FOSTER. Oklahoma City, Okla., in 1911.

Mr. TAVENNER. Where do you now reside?

Mr. FOSTER. 2609 Flushing Road, Flint, Mich.

Mr. TAVENNER. How long have you lived in Flint, Mich.?

Mr. FOSTER. I have lived in Flint, Mich., since the year June 1927.

Mr. TAVENNER. Will you tell the committee briefly what your formal educational training has been?

Mr. FOSTER. My formal educational training is grade school, high school, and 2 years at Flint Junior College.

Mr. TAVENNER. Where are you now employed?

Mr. FOSTER. I am employed in Chevrolet Motor Co.

Mr. TAVENNER. How long have you been employed at Chevrolet Motor Co.?

Mr. FOSTER. I have been employed at Chevrolet Motor Co. for 20 years.

Mr. TAVENNER. Mr. Foster, did you attend a conference at 3810 Brentwood, Michigan, with John L. McManus, of the National Guardian, and Mr. Max Dean?

Mr. FOSTER. Would you repeat all that again, please, sir?

Mr. TAVENNER. Would you read that?

(The question was read by the reporter as follows:)

Mr. Foster, did you attend a conference at 3810 Brentwood, Michigan, with John L. McManus, of the National Guardian, and Mr. Max Dean?

(At this point Mr. Foster conferred with Mr. Wistrand.)

Mr. FOSTER. Sir, that address is not familiar to me. I know nothing about it.

Mr. CLARDY. I can't hear you, witness. It is a little difficult. Hold it just a minute until that truck gets away. Now repeat it.

Mr. FOSTER. I know nothing about that address, sir.

Mr. TAVENNER. Have you ever met Mr. John L. McManus?

(At this point Mr. Foster conferred with Mr. Wistrand.)

Mr. FOSTER. Sir, I don't recognize the name.

Mr. CLARDY. Did you ever hear the name before?

Mr. FOSTER. I don't believe I have, sir.

Mr. TAVENNER. Did you take part in a campaign of any character in connection with the trial and sentencing of the Rosenbergs?

(At this point Mr. Foster conferred with Mr. Wistrand.)

Mr. FOSTER. Sir, the question is too loosely defined. I don't understand what you mean by "campaign."

Mr. TAVENNER. The committee is informed that there was in existence an organization known as the Committee to Secure Justice in the Rosenberg Case. Were you a member of that committee?

(At this point Mr. Foster conferred with Mr. Wistrand.)

Mr. FOSTER. Sir, do I understand you ask me if I am a member of the committee?

Mr. TAVENNER. Yes, sir.

Mr. FOSTER. I am not a member of any committee.

Mr. TAVENNER. Did you participate in the work of that committee?

(At this point Mr. Foster conferred with Mr. Wistrand.)

Mr. FOSTER. Sir, what is the name of that committee?

Mr. TAVENNER. The Committee to Secure Justice in the Rosenberg Case.

Mr. FOSTER. To the best of my knowledge I don't believe I ever heard of such a committee. It is a possibility, but I don't recall it. However, I am not part of that committee.

Mr. CLARDY. Witness, you say "I am not." Were you ever a member of a committee seeking to do something in connection with the Rosenbergs or with their trial, regardless of what name may have been used?

Mr. FOSTER. I am not a member of any committee—

Mr. CLARDY. My question is not whether you are now a member. I am saying, Have you ever been a member of a group or committee, official, or unofficial, seeking to do something in connection with the Rosenbergs, their trial, or their sentence?

(At this point Mr. Foster conferred with Mr. Wistrand.)

Mr. FOSTER. Sir, I don't understand your question.

Mr. CLARDY. Well, I will explain it. You know who the Rosenbergs were, do you not?

Mr. FOSTER. Yes; I do know who the Rosenbergs were.

Mr. CLARDY. You do know that there was agitation carried on, a campaign carried on, by certain people in this country, imploring the President to step in and imploring us to take action with regard to the

courts and do various other things to prevent the execution of the Rosenbergs. You know that happened, don't you?

Mr. FOSTER. That is correct; it did happen.

Mr. CLARDY. Did you take part in any way whatsoever, insignificant or large, in connection with any of those movements in the Rosenberg matter? Do you understand that?

Mr. FOSTER. You mean, did I write to you about the Rosenbergs?

Mr. CLARDY. In any way; did you write, did you belong to a committee, did you do anything.

Mr. FOSTER. I don't recall having wrote anything or belonged to any committees in connection with the Rosenbergs, but if you want it in the record, I am against capital punishment, and I am against—well, until I am satisfied in my own mind that people are guilty, I don't think there should be any haste in putting people to death.

Mr. CLARDY. Well, I wouldn't want to hasten someone to the gallows if there was any doubt about it. I could join you on that, but that wasn't my question. My question was, Have you taken any part in any of the activities that revolved around the Rosenberg trial and their execution?

Mr. FOSTER. Sir, you will just have to be specific. I don't recall having wrote an article or belonging to a committee to do anything for the Rosenbergs. I don't believe there is anything on public record. However, you should be specific on it. To be quite frank with you, that from time to time I have—I have even visited the Sixth Congressional offices in Washington at times under your predecessor. I used to carry on correspondence with that office on many things.

Mr. CLARDY. Well, did you carry on any with regard to the Rosenbergs?

Mr. FOSTER. Sir, my sympathies are with the Rosenbergs.

Mr. CLARDY. I guessed that.

Mr. FOSTER. Specifically, I don't recall having done anything.

Mr. CLARDY. Then would it be a fair statement—you can agree or disagree with this—for me to say that you have had no connection with the Rosenberg issue, remote or otherwise? Is that fair?

(At this point Mr. Foster conferred with Mr. Wistrand.)

Mr. FOSTER. Sir, that question is so vague I can't answer it.

Mr. CLARDY. Well, I am afraid that your idea of vagueness doesn't coincide with my own, but I will put it another way: Would it be fair to say that you have belonged to no committee, that you have joined no movement, that you have taken part in no activity looking toward the securing of clemency for the Rosenbergs?

Mr. FOSTER. Sir, do you have anything to contradict my statement here?

Mr. CLARDY. You haven't said anything for me to contradict. I am merely trying to find out whether that is the fact or whether it isn't a fact.

Mr. FOSTER. Sir, you asked me if I belonged to a committee for the protection of the Rosenbergs. I have said I have not. You asked me if I worked with such a committee. I have not. I volunteered on my own statement to say that I am in sympathy with the Rosenbergs.

Mr. CLARDY. Very well, Mr. Tavenner. There is no need of wasting more time on that.

Mr. TAVENNER. Were you acquainted with Bolza Baxter?

(At this point Mr. Foster conferred with Mr. Wistrand.)

Mr. FOSTER. Sir, this question—if I answered this question and waived my rights guaranteed me under the Constitution of the United States—this is a leading question designed for me to waive my rights guaranteed to me under the Bill of Rights and the Constitution of the United States, and for the record in future references here I don't intend to answer any question that will lead to the ultimate conclusion that I in any way advocate the destruction of the United States by force and violence, and that is the opinion of the Attorney General, the opinion spoken of here, and I have to protect myself in that ultimate conclusion.

Mr. CLARDY. Are you declining to answer the question as to whether or not you know Bolza Baxter?

Mr. FOSTER. Sir, I will have to decline on the basis——

Mr. CLARDY. No; you don't have to decline. My question is—do you decline?

Mr. FOSTER. Yes, sir; I absolutely decline. I absolutely decline to answer that question.

Mr. CLARDY. On the ground of the fifth and the other amendments that you have mentioned?

Mr. FOSTER. That is correct, sir.

Mr. TAVENNER. Did you in 1948, along with Bolza Baxter, engage in the distribution of Communist Party documents and pamphlets in Flint?

(At this point Mr. Foster conferred with Mr. Wistrand.)

Mr. FOSTER. Sir, this is part of the same question, and I will have to stand on my constitutional grounds.

Mr. CLARDY. Again, witness, I should point out, you do not have to. You have the privilege of doing it or not.

Mr. FOSTER. Sir, speaking from my side of the fence, I absolutely have to.

Mr. CLARDY. Well, for your own protection I should advise you that that is not a clear statement that you are invoking it, and I am trying my best to let you see that you must say that you are invoking it if you want the protection of it. If you want to let it stand that way after this, it is all right with me.

Mr. FOSTER. I am invoking the privilege of the fifth amendment.

Mr. CLARDY. Very well.

Mr. TAVENNER. The witness, Mrs. Churchill, in the course of her testimony here yesterday, identified you as a member of the Chevrolet Club of the Communist Party. Was she telling the committee the truth or not in so identifying you?

Mr. FOSTER. Sir, this question is in the category with the previously asked question, and I stand on my privileges of the Constitution.

Mr. TAVENNER. Were you a member of the Communist Party and affiliated with the Chevrolet group of the Communist Party?

Mr. FOSTER. Sir, I listened to the testimony of this lady yesterday, and I have listened to the trend of these hearings here so far, and I read the headlines in the paper where you don't speak of people working in a factory, but people as being members of a union. I spent 20 years, perhaps the most difficult years and the best years of my life, building a union, and I don't intend to let anybody get the hooks into that union and tear the guts out of it.

Mr. TAVENNER. Well, did you spend any part of those years in building the Communist Party within your union?

Mr. FOSTER. Sir, that is a leading question. To answer that question I would relinquish my rights under the Constitution of the United States, and I refuse to answer it on that basis.

Mr. TAVENNER. Were you aware of the Communist Party as indicated by Johnson exhibit No. 1 to concentrate in General Motors in the work of the Communist Party?

(At this point Mr. Foster conferred with Mr. Wistrand.)

Mr. FOSTER. Sir, what is Johnson exhibit No. 1?

Mr. TAVENNER. Johnson Exhibit No. 1 is a resolution of the state organization of the Communist Party for the State of Michigan which was introduced in evidence at Detroit and given the title Johnson exhibit No. 1.

It is a resolution on concentration for discussion at all clubs, sections, commissions, and departments of the Communist Party. It proceeds to explain the importance of concentration in Flint, in General Motors, and in Ford in Wayne County, and accompanying it is the exhibit No. 2 which is the plan in detail for the accomplishing of that purpose within the Dearborn auto section, and the testimony has been that a somewhat similar plan existed but the committee does not have it in its possession relating to operations within General Motors here in Flint. I think that is a fair general description of the document.

(At this point Mr. Foster conferred with Mr. Wistrand.)

Mr. FOSTER. Sir, I am going to invoke the rights of the fifth amendment on this question and refuse to answer it.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. FOSTER. Sir, this is the same question that is being asked in several different ways, and I am not going to put myself in position where I am going to fall under the opinion of the Attorney General of the United States or any future laws that may come up. I invoke the rights under the fifth amendment of the Constitution and refuse to answer that question.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. CLARDY. Mr. Doyle?

Mr. DOYLE. I think I understand—can you hear me, Mr. Foster?

Mr. FOSTER. Yes, sir.

(At this point Mr. Foster conferred with Mr. Wistrand.)

Mr. DOYLE. I will wait until you are through conferring with your counsel. We are always glad to have counsel present. I wish to finish my statement. I say the committee is always glad to have counsel present with every witness; in fact, our rules and our practice is to always welcome counsel, so we are glad that each witness here in these hearings is having counsel. Being a member of the bar myself, I think I appreciate the importance of having counsel present for the witness if he wants to. I think I understood you to say, Mr. Foster, that you have been in the union movement 20 years, is that correct?

Mr. FOSTER. That is correct, sir.

Mr. DOYLE. Well, I want to compliment you, and I think I heard you say, too, that you were not going to let anyone get their hooks——

Mr. FOSTER. That is correct, sir.

Mr. DOYLE. Into the guts of the union movement, is that correct?

Mr. FOSTER. I believe my statement was that I wouldn't permit anybody to get their hooks—use me to get their hooks into the union and tear the guts out of it.

Mr. DOYLE. I want to compliment you on that, too. I agree with you. Of course the evidence shows clearly before this committee and before Congress that the Communist Party in America is trying to get the guts of the union movement. You know that, don't you? You hear my question, and you understand it manifestly.

Mr. FOSTER. Yes, sir, I hear your question.

Mr. DOYLE. Answer that question, please.

(At this point Mr. Foster conferred with Mr. Wistrand.)

Mr. FOSTER. Sir, in this instance I shall use the fifth amendment to the Constitution.

Mr. DOYLE. I am sorry; I don't hear you.

Mr. FOSTER. Sir, I am going to invoke the rights under the fifth amendment of the Constitution to answer this question.

Mr. CLARDY. You mean you are going to invoke the fifth amendment and refuse to say whether or not you know that the Communist Party is determinedly trying to destroy the unions of this country?

(At this point Mr. Foster conferred with Mr. Wistrand.)

Mr. FOSTER. Sir, as an attorney you know that no inferences can be drawn from the failure of a witness to testify.

Mr. DOYLE. I wish to agree with the witness. That certainly is the decision of our highest courts, and I wish the witness to understand that as a member of this committee I draw no inference if a man in good faith pleads the fifth amendment or pleads his constitutional rights, but may I say, sir, I judge you are a member of one of the great labor unions, are you not?

Mr. FOSTER. That is correct, sir.

Mr. DOYLE. Well, I am not asking you to tell me which. We aren't interested in that, but Mr. Chairman, in view of this witness' answer, and he is engaged in the manufacture of automobiles manifestly, I have had given to me a copy of a news release, Walter P. Reuther, president, and Mr. Mazey, secretary treasurer, and John Livingston; Richard Gosser, vice president, UAW–CIO. Manifestly this is so long that we can't get it all in the record.

Mr. FOSTER. Sir, it is a good release. I think it should be read into the record. It is a very good release.

Mr. DOYLE. I am going to read a part that possibly applies to you. I wish we had time to read the whole thing and print it because this committee is after the opinion of every patriotic American, may I say. We may disagree with him, but he has the right, in my book—any citizen has the right in my book to disagree with me as long as he and I both stay within our constitutional rights. That means we have to stay within the law, doesn't it?

Mr. FOSTER. That is right, sir.

Mr. DOYLE. That is correct. Reading on page 4 of this—it is a long article, 9 pages—I quote:

> Each witness appearing before these committees—

referring to this committee and similar committees——

> must, of course, make his own individual decision as to the course of action which he will follow in his testimony. This is a matter of individual conscience and judgment.

Now notice this:

We in the UAW-CIO sincerely urge any witness called before the House Un-American Activities Committee, if it is at all possible to do so, to avoid using the privilege of the fifth amendment.

Now, that is a news release as of May 2. I have a couple more paragraphs. On page 2:

We have no quarrel with the professed purposes of the House Committee on Un-American Activities.

I read on page 6:

Protecting the good name and reputation of interested people and their families does not absolve the former Communist from his patriotic duty as a citizen to testify fully of his firsthand knowledge of the names and activities of any Communist Party functionaries or of any illegal activities, any evidence of conspiracy to overthrow the Government by force and violence or evidence of a nature that would serve to strengthen the security of our Nation, while at the same time refusing to testify in any matter of which he has no direct or firsthand knowledge or any matter that happened so far in the past that his memory cannot be relied upon with any degree of accuracy.

(At this point Representative Harold H. Velde returned to the hearing room.)

Mr. DOYLE (reading):

UAW-CIO, through years of practical experience in the forefront of the fight against communism, fully recognizes and understands the danger of the Communist world conspiracy. We have supported and shall continue to support every effort of our Government, consistent with democratic traditions, to meet this threat. We shall, however, resist every effort on the part of the apostles of fear, hatred, and hysteria who would panic America into action which would sacrifice the very beliefs we are dedicated to preserve. Nothing is more destructive of our basic spiritual and political freedoms than the dangerous theory the means justify the ends. This is a moral basis upon which communism builds its power. As a free people we must demonstrate the courage and good sense to resist the use of Communist and totalitarian methods under the guise of fighting communism. We must remain true to our belief in the worth and dignity of the individual, and we must continue to believe him to be innocent until he is proven guilty through due process.

Now, Mr. Chairman, I just wish to emphasize this at that point: I want this audience and this witness, and he will hear me state that this committee recognizes that statement by Mr. Reuther as fundamental law, that every man is presumed to be innocent until he is proven guilty, but right at that point I wish to say that this committee is not finding any person guilty, nor are we trying to. Our committee is to find the facts at this hearing as to the extent to which commies in the Detroit area have infiltrated, if they have, even UAW-CIO or any union.

Now, that is one of the functions we are here for. Now, in closing:

If we are to lead the free world, we must of necessity shape our policies and our leadership in the image of our faith and not our fears. History has made America the custodian of world freedom. Let us act in the knowledge that only the brave are worthy of leading the free.

May I state this again, Mr. Chairman: I want to disabuse the minds of any persons who are here, today or yesterday or tomorrow, forever, that there is any intent on the part of this committee that I know of—and I have worked with it several years—I know of no intent on the part of the majority of this committee, either under the Democratic administration or under the Republican administration, to destroy union labor or collective bargaining, so when you, Mr. Witness, or

any other witness takes the chair as a member of organized labor, and I am told that the purpose of this committee is to destroy union labor, I say it is false, and I say the Communist Party knows it is a dirty lie. They are lying to capture the grief and the unemployment and the sorrow and the disgust and the disappointments of a few American citizens who swallow their line of conspiracy, and some of those people, I fear, are right in the Detroit area and the Flint area in union labor today, and those are the unpatriotic American citizens that we are after, and I want to emphasize again our great labor unions, in my book—however, this is what he said, and I quote it again:

> However, we in the UAW–CIO sincerely urge any witness called before the House Un-American Activities Committee, if it is at all possible to do so, to avoid using the privilege of the fifth amendment.

I ask, Mr. Chairman, that those quotes be included in my remarks in the record.

Mr. CLARDY. They will be, and may I join with you in what you have said.

I want to add one word. You have been on this committee quite a lot longer than I have, but in the nearly year and a half that I have participated, I think you can bear me out when I say no word of politics, no word of attack on unions, no word of attack on any organization has ever been uttered in any of our meetings, open or otherwise.

Mr. FOSTER. Mr. Chairman——

Mr. CLARDY. Never mind, Witness. There is no question pending. Do you have anything further, Mr. Tavenner?

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. CLARDY. Have you?

Mr. VELDE. No questions.

Mr. FOSTER. Mr. Chairman, in all——

Mr. CLARDY. Witness is dismissed. Call the next witness.

Mr. TAVENNER. Mr. Morton Leitson.

Mr. CLARDY. Raise your right hand. You do solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LEITSON. I do.

Mr. CLARDY. Will your eminent attorney identify himself for the record?

Mr. SELBY. Guy W. Selby.

Mr. CLARDY. One of the foremost lawyers in this area, if I may add. Are you assisted or do you have someone with you, Mr. Selby?

Mr. SELBY. Some other lawyers.

Mr. CLARDY. Will they identify themselves so we can hear?

Mr. DEAN. Charles C. Dean, D-e-a-n.

Mr. CLARDY. Any more?

Mr. WISTRAND. Bruce Wistrand.

Mr. MAGEE. David S. Magee.

Mr. LEITSON. I have another attorney, Mr. Joseph R. Joseph. He was here yesterday and here this morning.

Mr. CLARDY. Well, I imagine that those 4 illustrious gentlemen that are flanking you on either side will be able to give you ample protection.

I may say, Mr. Leitson, that this equals the all-time high—in fact, if you have 5, it exceeds the all-time high of 4 that the committee has seen.

Mr. LEITSON. Sir, I have a question that I would like to ask the committee if I may at this time.

Mr. CLARDY. Does it have to do with our rules? I see you have the book.

Mr. LEITSON. Yes.

Mr. CLARDY. Yes, indeed.

TESTIMONY OF MORTON LEITSON, ACCOMPANIED BY HIS COUNSEL, GUY W. SELBY, CHARLES C. DEAN, BRUCE WISTRAND, AND DAVID S. MAGEE

Mr. LEITSON. I was here yesterday morning and all day today, and I did not hear the purposes of this investigation set forth. Now, section II of your rules of procedure put out by your committee says that the subject of any investigation in connection with which witnesses are summoned or shall otherwise appear shall be announced in an opening statement to the committee before the commencement of any hearings, and the information sought to be elicited at the hearing shall be relative and germane to the subject as so stated.

I didn't hear that.

Mr. CLARDY. May I inform you: You didn't note the key word. You jumped over it rather hastily. That is for the internal direction of the affairs of the committee. Before we undertake an investigation, it is important and necessary under our self-imposed rules that we clearly state in committee meeting in executive session what we aim to do. That has nothing to do with the open hearings which we conduct. But I do not mind telling you that the open hearings are going forward under the broad provisions of Public Law 601.

Mr. LEITSON. The reason why I asked that question, sir, is that I would like to be able to judge, and my attorneys would like to be able to judge as we go along if questions are relevant and germane to the subject as so stated.

Mr. CLARDY. You will have no difficulty at all on that. I am well acquainted with at least several of your able counsel. I have great respect for them. They are good citizens of this community, and I am sure no improper inference will be drawn, and I am satisfied they can more than take care of you adequately.

(At this point Mr. Leitson conferred with Mr. Wistrand and Mr. Magee.)

Mr. DOYLE. Mr. Chairman, however, being a member of the bar myself, I call the distinguished counsel's attention to the rule book which he has, rule 7. It might save some embarrassment. On page 3, on advice of counsel

> At every hearing, public or executive, every witness shall be accorded the privilege of having counsel of his own choosing; 2 (b) the participation of counsel during the course of any hearing while the witness is testifying shall be limited to advising said witness as to his legal rights. Counsel shall not be permitted to engage in oral argument with the committee, but shall confine his activity to the area of legal advice to his client.

I merely call that to your attention because the practice of this committee is not to allow counsel to either argue or to orally state objections to a question.

Mr. SELBY. We understand that.

Mr. CLARDY. I presume if any huddle is necessary, it will be expedited as rapidly as possible.

Proceed, Mr. Tavenner.

Mr. TAVENNER. What is your name, please, sir?

Mr. LEITSON. Morton Leitson.

Mr. TAVENNER. When and where were you born, Mr. Leitson?

Mr. LEITSON. I was born in the city of Flint on August 23, 1918.

Mr. TAVENNER. What is your profession?

Mr. LEITSON. I am an attorney.

Mr. TAVENNER. Will you tell the committee, please, what your educational training for the practice of your profession has been?

Mr. LEITSON. Well, I am a graduate of the Flint public school system. I had 1 year at Flint Junior College.

Mr. TAVENNER. Will you give the years?

Mr. LEITSON. I graduated from Flint Northern High School in the year of 1936, June of 1936. I went to junior college for 1 year, the year of 1936-37, and then I went to the University of Michigan where I was in attendance until December 20, 1941. Prior to that time I received a bachelor of arts degree in 1940.

On December 20, 1941, I enlisted in the Armed Forces and served for 46 months in the Air Corps, 15 months in the Pacific theater, and then upon the return——

Mr. TAVENNER. When did you return?

Mr. LEITSON. I was discharged from the Armed Forces on November 16 of 1945. I returned to the city of Flint. I was here for a few months in June of 1946. I returned to the University of Michigan Law School to complete my law school training which I completed in June of 1947. I was admitted to the bar on June 24 of 1947. I have been practicing here in the city of Flint since that time.

Mr. TAVENNER. You received your law degree in June of 1947?

Mr. LEITSON. That is correct.

Mr. TAVENNER. Mr. Leitson, at the time that you were in attendance at the University of Michigan in the study of law in 1947 and 1946, were you aware of the existence at the university of an organized group of the Communist Party?

Mr. LEITSON. Sir, that question is, in my mind, a question that is not proper, and I feel that to begin to divulge my knowledge to this committee about a subject which is under inquiry here obviously—obviously I have been called here because an attempt is made to link me with a particular group or groups——

Mr. TAVENNER. It is thought that you have some knowledge of the existence of that group.

Mr. LEITSON. Well, I would like to state what the inquiry leads up to and why I feel that it is an improper question and to state why I refuse to answer such a question.

Mr. CLARDY. Well, Mr. Leitson, we are both lawyers. We are members of the same profession. I am sure that you will not in any way want to show anything other than the utmost respect for your Congress. May I point out that in asking that question we are affording you ample opportunity to state anything you desire in refutation of what you obviously, from what you have said, feel is a charge of some kind. Now, if you are not a member of the party, it would

seem to me you would be more than happy to say so. If you are and are genuinely convinced that the principles the Communists stand for are sound, you ought to be equally proud to so state that if you have a firm conviction, but either way—and I am addressing you now as a lawyer—either way you answer them, there certainly, if it is a truthful answer, and I assume that it would be, there is certainly no way in which you can be subjected to any indignity or any prosecution whatsoever, but if you want to decline to answer on the fifth or any of the other amendments that you care to cite, as I have told the other witnesses, you have the privilege, and we shall not quarrel with you if you choose to do so.

Mr. LEITSON. I would like to state——

Mr. DOYLE. Mr. Chairman, before the lawyer answers, may I suggest this: It isn't often a lawyer comes before the committee as a witness. He is flanked by 4 distinguished members of this bar, and we are glad he is. I know time is short, but inasmuch as under Public Law 601 we are anxious to get the viewpoint of every thinking citizen that we possibly can get the viewpoint of during our hearings, I would suggest that the witness perhaps be permitted to have a few minutes longer than other witnesses because we do want the value of your opinion, sir, as to why you shouldn't answer this question. It may help us, you see, in reporting to Congress on the problem to get your point as a lawyer. If you are going to refuse to answer and claim your constitutional privilege, it would help us as your Congressmen as to why you, as a lawyer, claim whatever privilege and claim you do.

Mr. CLARDY. Oh, yes. I was making it plain that you had the three alternatives to answer yes or no or decline to answer and state your ground. I am sure that we are not thereby inciting the kind of thing that you have seen in this room, a long tirade addressed to issues that are not before us and of no moment. Confine yourself to the legal issue involved and state it as succinctly as you can.

(At this point Mr. Leitson conferred with Mr. Wistrand and Mr. Magee.)

Mr. CLARDY. While they are conferring, I think I should add on the record that the resolution adopted by the bar association up here certainly meets with our approval. We think it was a wholesome thing to do. We welcome what has been done.

Mr. DOYLE. What was that bar association rule?

Mr. CLARDY. They adopted a resolution which in effect told the members of the bar that if their assistance was sought by any of those subpenaed of the committee, they had the duty, if I read it correctly, to respond to that call. I think that is a fair statement of the resolution, and I agree with it entirely.

Mr. LEITSON. Gentlemen, this question presupposes that I have a knowledge of some Communist Party organization on the campus of the University of Michigan, and to answer that question would then open the door as to what knowledge I may have if I have any, and for that reason, to place me in a position where I have to disclose information about myself, perhaps, or perhaps about other persons or what knowledge I have that may link me with a particular group or perhaps with other groups, in my opinion being something that I cannot possibly do in good conscience.

Mr. CLARDY. Witness, may I interrupt you?

Mr. LEITSON. Yes.

Mr. CLARDY. If you have no knowledge, that is a perfectly fair answer. Merely say that you have no knowledge.

Mr. LEITSON. Sir, I think that it is common knowledge that there are Communist Party groups throughout the country, at least according to the statements made by this committee and by your hearings that were held in Detroit, when you had University of Michigan professors and students before your group.

Mr. CLARDY. That is right.

Mr. LEITSON. It appears to be common knowledge. Now, to ask me if I have knowledge of that, then the followup question to that would be what knowledge do I have, if any. Now, as to that I cannot possibly—I think I have discussed it with my attorneys—there is a doctrine of waiver. Once we open the door, further questions follow. I must insist that I cannot possibly answer that question, and I will give my legal reasons for refusing to answer that question.

Mr. CLARDY. All right. As quickly as you can, because these lawyers will understand——

Mr. LEITSON. I have no intention of being verbose. I would like to wind this up as soon as possible, I can assure you.

Mr. CLARDY. I say as brother lawyers I think we can understand you without your going into the long remarks that some people make who are not attorneys.

Mr. LEITSON. Well, I feel it is important that I state my reasons rather completely.

Mr. CLARDY. Proceed.

Mr. LEITSON. In view of the question that was—it appears to me that this inquiry is a clear-cut violation of the first amendment to the Constitution which guarantees to individuals the right to be free in their thoughts, to have free speech, free assembly—in fact, the followup questions that would lead from an answer to this question are in direct conflict with the opinion from the Supreme Court of the United States, in the *West Virginia State Board of Education* v. *Barnett* (319 U. S. 624), where the Supreme Court said that no official, high or petty, may prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or for citizens to confess by word or act their faith therein, and the very answer to this question would lead to further questions along that very line which would be in effect a violation of the first amendment.

Next, I further decline to answer by virtue of that amendment which was inserted into the Constitution for the protection of all persons from being forced to testify against themselves. Very often I have heard statements made by the chairman of this committee that a witness is either lying or he has something to hide if he uses the fifth amendment as a defense.

Mr. CLARDY. You haven't heard me say that.

Mr. LEITSON. I hope that I am incorrect on that. If I am, I stand corrected.

Mr. CLARDY. Well, you are corrected right now. I have not made that statement.

Mr. LEITSON. Well, in that case then, I withdraw the statement. I thought that I recalled it from a meeting at the bar association.

Mr. CLARDY. No, you probably have in mind the fact that we have frequently said that we cannot prevent others from drawing conclusions as to your guilt or innocence if we give you a question on which you take the fifth amendment, and we can't; the human mind being what it is, circumstances developing what they are, many people do draw that conclusion, and I frankly tell you there are instances—and I haven't drawn any on you at all—there are instances in which I would go along with that inference. Go ahead.

Mr. LEITSON. Well, I am referring to the privilege of the fifth amendment.

Mr. CLARDY. Yes.

Mr. LEITSON. Which I am also relying on for refusing to answer that question.

Mr. TAVENNER. Were you aware of the existence while you were a student at Michigan University of a group, an organized group, of the Communist Party in Ann Arbor known as the Town Club of the Communist Party?

Mr. LEITSON. Well, sir, there again you have the very same question phrased perhaps in a little different way. You just previously asked if I had any knowledge of any Communist Party group at Ann Arbor, and now you repeat——

Mr. TAVENNER. No, not at Ann Arbor; in the University of Michigan.

Mr. LEITSON. Well, the University of Michigan is located in Ann Arbor.

Mr. TAVENNER. Now I am speaking of the town of Ann Arbor itself.

Mr. LEITSON. Well, I would have to refuse to answer that question for all the reasons I previously stated.

Mr. TAVENNER. Mr. Leitson, in every instance in which the committee has been able to ascertain facts regarding the operation of a cell or group of the Communist Party, almost without exception, I should say, there appears to have been given a direction to the members of the group to join mass organizations, sometimes referred to as front organizations, for two purposes: One as a means of recruiting members into the Communist Party, and as another, the purpose of carrying to those groups the issues in which the Communist Party as a party was interested. Our investigation has developed that you were active as a student at the University of Michigan and that you belonged to various organizations there—and I am not speaking of the Communist Party now—I am talking about other organizations. I would like to know, the committee would like to know, to what extent those organizations were influenced or guided by Communist Party influences within them, if you know.

Mr. LEITSON. The very fact that you phrase that question in that way implies that I have knowledge—I have such knowledge. Now, I have stated to this committee here that I will refuse to answer—I have refused so far, and I will refuse to answer all questions that in any way imply that I have or have not got information regarding the Communist Party, but not only the Communist Party, mind you. I would like to say also that in referring to all those organizations that the Attorney General has entered on his prescribed list, some 260 of them, I believe, and the many more that he may put on in the future; for instance, the Progressive Party, which you have indicated will be on that list very shortly——

Mr. DOYLE. Mr. Chairman, may I just ask this question, then, that I learned your answer, the refusal to answer directly, is partially based upon what you said, the form of the question presupposed that you had some knowledge about Communist Party activities. You so stated.

Mr. LEITSON. That is correct.

Mr. DOYLE. All right. Now grant that that presupposed that. Do you have any knowledge in the Detroit area of the activities of the Communist Party? If you do, I am asking you to tell us what they are.

Mr. LEITSON. Well, Congressman Doyle, I will refuse to answer that question. I will refuse to answer that question for the reasons that I have given. The fact that you rephrased it doesn't change the character of the question.

Mr. DOYLE. I didn't try to rephrase it. I just tried to go right straight to the issue and ask you directly.

Mr. LEITSON. And that is the very reason why I refuse to answer the question, because you are seeking, by virtue of your investigation—in fact, the very fact that a person is subpenaed here implies that he has some connection or some knowledge or something of that sort, and I refuse to answer the question for the reasons previously stated.

Mr. DOYLE. You are a lawyer, you are familiar with Public Law 601. You know full well why we are here. We are here functioning under Public Law 601 which challenges us to find the facts about Communist propaganda and activities any place in this country. You know that, don't you, Counsel?

Now, then, one thing more, so you will understand and so the group here will understand why our Counsel shapes the question in that way. You know that our investigators have been in this area for some months surely. Our investigators from Washington with some of the State investigators, State police, have been cooperating in this area, and naturally they have given our Counsel and this committee some evidence, you see, that there is a Communist Party activity in this area. Now, frankly, you are here because our record shows that we believe from our investigation over the last 6 or 8 months here that you had some knowledge of some sort, probably pretty valuable to us if you would give it to us, about Communist Party activities. That is why Counsel formed the question as presupposing that you knew something about it because our evidence from several investigators tells us you do. Is that a fair statement?

Mr. LEITSON. I would like to say this, sir——

Mr. DOYLE. That is fair to you, that is why I am stating it.

Mr. LEITSON. I would like to say this, that there are many different ideas about the purposes of the House of Representatives Un-American Activities Committee. In fact, even in Congress, there are Members of Congress who disagree with the purposes and attach ulterior motives to the House Un-American Activities Committee.

Mr. CLARDY. May I interrupt you. You should have difficulty naming one of them.

Mr. LEITSON. May I read a quote of Congressman Weir from the Third Congressional District——

Mr. DOYLE. Well, I am well acquainted with him. I sit with him almost every day.

Mr. LEITSON. I would like to give a direct quotation.

Mr. DOYLE. When given and where?

Mr. LEITSON. Reprinted in the Nation magazine of two weeks ago, I believe, two or three weeks ago, and here it is, and I quote:

> And so today, as I view the witchhunting and accusations and smear campaign carried on by the House Un-American Activities Committee as well as by Senator McCarthy and his stooges

incidentally, these are the words of Congressman Weir—

> and the Jenner Committee, I cannot compromise my convictions or follow the line of least resistance. To me our entire way of life is at stake. I refuse to acquiesce in such demagogery because I have been convinced that every one of these committee chairmen has succumbed to the lure of newspaper headlines and other publicity that may some day make them a national hero or president.

That was made by Congressman Roy W. Weir of the Third Congressional District.

Mr. DOYLE. May I state this, please, counsel—no doubt you are familiar with the voting record of Members of Congress on appropriations of this committee, aren't you?

Mr. LEITSON. I understand he is the only one who——

Mr. DOYLE. Mr. Weir was the only Member of the House that voted against an appropriation for this committee.

Mr. CLARDY. Out of 435.

Mr. DOYLE. And may I say that yesterday, when we submitted the resolutions citing for contempt or asking the House to cite for contempt 9 people who were in contempt, we believe, of this committee, Mr. Weir did not vote against those resolutions. The vote was 345 to nothing. I just want the record to show that.

Mr. LEITSON. I have no knowledge of whether he was there or not.

Mr. DOYLE. I respect Mr. Weir. I believe he is a conscientious gentleman and up to the point where any of us ever do seek publicity, if we do, Mr. Weir is justified in his criticism, but that is no sign that it is being done at all times, you see.

Mr. LEITSON. Sir, I happen to be one of the people that disagree with the methods and a good deal of the purpose of the House Un-American Activities Committee.

Mr. CLARDY. Well, you have that right, and we do not intend to deprive you of it.

Mr. LEITSON. And for that reason I cannot possibly cooperate with the committee.

Mr. CLARDY. We understand it, but let me reinforce what Congressman Doyle has said. Mr. Tavenner would not have asked you the questions he did had not the investigation that has been going on for a long, long time—every angle of which I am thoroughly familiar with because the chairman confided it to my care—that investigation had not brought to our attention substantial and reasonable evidence to warrant our giving you an opportunity in this hearing to flatly contradict it, to admit it, or to follow any course that you want because that evidence consisted of identifications of your attendance at various places and of the advice that you have given and of the people who have consulted with you, which needed explanation.

Now, you do not have to give it if you do not want to, but you have that opportunity, if you care to avail yourself of it, and to place before the people in the community where you live your side, your statement, if you have any to make. If you do not choose to do so, we cannot

be held responsible for any inference that anybody may draw, good or bad.

Mr. DOYLE. May I make this clear to you before you make any further statement: In view of the statement of Mr. Clardy referring to those who interviewed or conferred with you, if that was his language——

Mr. CLARDY. No, with others.

Mr. DOYLE. May I make it clear, I am sure the Chair was not referring to any relationship of attorney and client.

Mr. CLARDY. Oh, no, none whatever.

Mr. DOYLE. Let me make that clear.

Mr. CLARDY. Proceed, Mr. Tavenner.

Mr. TAVENNER. Mr. Leitson, I have before me a document put out by the American Youth for Democracy, entitled "Facts on the Current Widespread Campaign Against Academic Freedom." On page 7 there appears a statement of the University of Michigan Academic Freedom Committee, and in the course of that statement references are made to various students at the university who presumably were supporting it. Now, my only purpose in making reference to this is to show that your name is mentioned there as president of the Students Lawyers' Guild chapter. That was in the year 1947. I assume that that is a correct statement, that you were president of the lawyers guild chapter, National Lawyers' Guild chapter, during that year, am I correct?

Mr. LEITSON. Well, sir, there again we are touching upon a question of another organization that I mentioned previously. There are many organizations cited by the Attorney General. I am certainly of the opinion that the National Lawyers' Guild is a very worthwhile organization and has strongly defended the constitutional rights of all people, but the Attorney General of the United States has seen fit to cite it as a subversive organization, and this committee has so cited it, and for me to answer that question might lead to further implications that I do not care to get into. I would not answer that question.

Mr. TAVENNER. Well, at the time that this document was printed in 1947, which as I said, refers to your position as being at that time the head of the National Lawyers' Guild chapter at the University of Michigan, were you a member of the Communist Party?

Mr. LEITSON. Mr. Tavenner, you may rephrase questions or phrase many questions around the same subject, and I am going to refuse to answer all of those questions, and I would say this, that in refusing, that an inference may be made incorrectly, perhaps, but an inference may be made about my membership in any organization because I refuse to answer questions regarding organizations. I must, of necessity, refuse to answer that question because it goes against everything that I believe in. I do not feel you have any right to inquire into my personal beliefs, and I must, of necessity, refuse to answer that question, and I include all the reasons that I previously stated.

May I say something else, Mr. Tavenner, without—also I think a very important point here, that I have—there is a feeling that people who appear before this committee have violated laws. That is a feeling that people have, even though this is not a trial, this is not a criminal court in the sense that you can mete out punishment, but still that is the impression that people can get, and I say this, if you feel I have

violated any law of the land, I feel you have a duty to give that information to a grand jury in order to have them prosecute me. If not, I think you should leave me alone.

Mr. CLARDY. Mr. Leitson, may I say this, if that impression is widespread, it is due solely to two things: first, because of the manner in which the witnesses conduct themselves when they appear before the committee, and secondly, because of the fact that a great many of those who have appeared before this committee—it stems back even beyond the Alger Hiss episode—have been subsequently convicted in court. It is not because of the conduct of the committee itself.

Now, I am told that counsel would desire a recess at this juncture, am I correct?

Mr. TAVENNER. Yes, sir.

Mr. CLARDY. We call a 5-minute recess at this point.

(Whereupon, at 2:58 p. m., the hearing was recessed, to reconvene at 3:03 p. m.)

(Whereupon, at 3:10 p. m., the hearing was reconvened.)

Mr. CLARDY. Before you continue your questioning, a matter was brought to my attention this morning or during the noon hour, I guess it was—am I not correct? The phone call dealing with Kelly, was that during the noon hour?

Mr. WISTRAND. Oh, yes.

Mr. CLARDY. I suggested at the time that in line with the practice of the committee we would be most happy to make a statement that would prevent anyone from misunderstanding who was named and identified. I will read a little communication I have here.

My name is Pearl Irene Kelly.

That is the person who wrote this.

I am not the Pearl Kelly that is mixed up with the Communist Party. I also work at the AC, and this is causing me a great deal of embarrassment. My husband's name is Patrick W. Kelly. Our address is 617 Burrows Avenue. He is manager for the

Well, I am not sure, of some packing company in Battle Creek.

I called the Journal. They wouldn't even sell me space in the papers to clear my name. Please put the real Pearl Kelly's address in the paper.

I want to make it clear that the identification of the Mr. Kelly was a Thomas Kelly, as I recall it. Am I right, Mr. Tavenner?

Mr. TAVENNER. Yes, sir.

Mr. CLARDY. And the Pearl Kelly did not have a middle name of Irene. It was Pearl Potter Kelly. I trust that everyone within the hearing room and within sound of our voice, and I trust also that the press will please copy, will make correction, to make it clear that the Pearl Irene Kelly and her husband that are named in this communication are not the ones that were in any way involved in the testimony before this committee up to this time.

Will you put that in the file, and if there is anyone else, anyone else at all, that feels that any unjust implication or misidentification is present, will contact us, we will be more than happy to make the correction, and I repeat again what was said at the outset yesterday, if anybody desires to be heard, anybody that was identified as a member of the Communist Party, wishes to be heard by this committee in an effort to set us right, if it is a mistake, at the convenience of the committee and such persons, we will give them that opportunity, if they

will request it. In addition, in accordance with the rules, after we get to Washington, notification will be sent to those people, again informing them that they will have that opportunity.

Proceed, Mr. Tavenner.

Mr. TAVENNER. I think, Mr. Chairman, while counsel is getting ready for the next question those people, if they feel that they are being hurt through an error—it certainly is unintentionally on our part—they should let us know promptly so that the minimum of harm will be done.

Mr. CLARDY. Right. I am moved to say something else. I pass no judgment on it, but I was bearded more or less good naturedly in the room next door here about some inquiry that was made of me, I believe, last week or the forepart of this week, concerning the action taken at the Chevrolet local where the international has taken over. I don't remember the quotation—in fact, I am not too sure that I read it after the reporter talked to me, but it went something along his line, that I think I was asked as to whether it wasn't a coincidence that we were coming to town and at the same time the international had moved in, and I frankly said yes, it may have been or did look to be a coincidence, although I don't think I was quoted, and I don't think I was even asked as to whether there was any direct connection, and I didn't so imply.

I don't know what the connection is, if any, but I am assured by an attorney whom I met for the first time today that there was no such connection. We will let the matter rest right there.

Proceed.

Mr. TAVENNER. Mr. Leitson, during the course of a hearing in New York last summer the committee had occasion to call before it Cedric Belfrage, who was the editor of National Guardian, and the committee made some investigation relating to his activities in connection with the Communist Party as well as the paper that he represented, the National Guardian. I would like to ask you several questions with regard to that paper, if you know anything about it, the National Guardian. Did you make an appointment or arrange a meeting at 3810 Brentwood, Mich. for Mr. John L. McManus of the National Guardian?

(At this point Mr. Leitson conferred with Mr. Wistrand.)

Mr. TAVENNER. When I said "Brentwood," I meant Brentwood at Flint, Mich.

Mr. LEITSON. I refuse to answer that question for the reasons already stated.

Mr. TAVENNER. Will you tell the committee, if you know, please, whether or not the National Guardian, acting through Mr. John L. McManus or any other member of its staff, initiated in this community a movement for clemency for the Rosenbergs?

Mr. LEITSON. Sir, I would like to ask you, you have listed on your list of organizations so many organizations that are taboo, that I don't know who they all are. I would like to ask you if this committee, the National Committee to Secure Justice for the Rosenbergs that you referred to before, is on that list.

Mr. TAVENNER. No, it is not listed in the Guide to Subversive Organizations put out by this committee. I may, however, call to your attention that this guide was put out on May 14, 1951.

Mr. LEITSON. Well, sir, I can recall many statements by many congressional people in which they attacked that organization—another organization was attacked. I feel this way, sir, that I cannot possibly——

Mr. TAVENNER. I asked you no question about that organization.

Mr. LEITSON. Well, you asked if I know of any activity of the National Guardian here in the city of Flint?

Mr. TAVENNER. Yes, and I asked you if the National Guardian was responsible through John L. McManus or any other member of the staff for any other activity.

Mr. LEITSON. Not to my knowledge.

Mr. TAVENNER. Not to your knowledge. Did you have a conference with John L. McManus in regard to the matter or receive any communication from him in connection with it?

Mr. LEITSON. I cannot recall any communication that I received from him regarding this matter.

Mr. TAVENNER. Well, did you receive one indicating a desire on the part of the National Guardian to have individuals meet with John L. McManus at 3810 Brentwood?

(At this point Mr. Leitson conferred with Mr. Wistrand and Mr. Magee.)

(At this point Mr. Leitson conferred with Mr. Dean.)

Mr. LEITSON. I refuse to answer that question for the reasons already stated.

Mr. CLARDY. Mr. Tavenner, your prior question was not completely answered, that part of it that had to do with whether Mr. Leitson had had any conferences. You talked about communications but you didn't mention whether there had been any conferences. Will you answer that part?

Mr. LEITSON. I also refuse to answer that, sir, for the same reasons.

Mr. TAVENNER. Was 3810 Brentwood your home?

Mr. LEITSON. It is my home at the present time.

Mr. TAVENNER. Was it your home during 1952?

Mr. LEITSON. Yes.

Mr. TAVENNER. And has been ever since?

Mr. LEITSON. Yes, sir.

Mr. TAVENNER. Mr. Leitson, have you made any contributions directly to the Communist Party?

Mr. LEITSON. I refuse to answer that question, sir, for the reasons already stated.

(At this point Mr. Leitson conferred with Mr. Wistrand.)

Mr. TAVENNER. The committee has understood from its investigation that there has been a small group of members of the Communist Party in Flint, composing what is generally referred to as a professional group of the Communist Party as a separate and distinct organization from the groups in industry and the neighborhood groups. Have you at any time been a member of a professional group of the Communist Party in Flint?

Mr. LEITSON. Sir, no matter how many different ways you phrase that question, you are implying that I have done something wrong, and I would like to state to the committee this, that I have sworn to uphold the Constitution when I entered the Armed Forces; again when I took my oath of office as an attorney, and I have tried to the best of my ability at all times to follow that in every possible way. I

have never at any time advocated the use of force and violence or the overthrow of this government by force and violence; in fact, I have been for peace all of the time, and I feel that the questions that you are propounding tend to give an impression that I am some sinister person that has ulterior motives; that is absolutely false. It is not true, but I will not answer any questions regarding my political beliefs or any organizations that I may or may not have belonged to, for the reasons already stated.

Mr. DOYLE. Mr. Chairman.

Mr. CLARDY. Yes. Mr. Doyle.

Mr. DOYLE. May I at this point—I noticed a few minutes ago, too, Mr. Leitson, you made this statement—it is the feeling that people who appear before this committee have violated some criminal law. Now, again you uttered the same thought, that Mr. Tavenner asking you questions gives the thought that he possibly is charging you with having done something wrong, and then you stated that you never violated or never advocated the use of force and violence to overthrow our constitutional form of government.

I think it is only fair to you to say that this is my position as a member of the committee: The record shows that in April 1945 the Duclos letter came to this country. Are you familiar with the Duclos letter, written by the great French Communist who is now considered one of the top Communists of Europe? Are you familar with this letter that came to this country in 1945?

Mr. LEITSON. There again, sir, I refuse to answer any questions pertaining to that field. It is a field I refuse to discuss.

Mr. DOYLE. I am trying to say to you, sir, that I think the people feel that many people who appear before this committee have directly or indirectly been in cooperation with some criminal intent. That is the purpose of my question. I want to try to explain to you why I think our conclusion is right, that many people feel that a man that comes before this committee has been tied up in some criminal conspiracy. Let me say this, then, for the purpose of this question—I know you are an intelligent man and well read, and I am going to assume that you are familiar with the Duclos letter, because I think probably every member of the bar, since April 1945, has been well aware that the Duclos letter which came to this country in April 1945 laid down the proposition to the American Communist Party that Earl Browder had to be kicked out of the American Communist Party because he said in a Communist convention and in his writings back in 1945 and 1944 that the American form of economics, the American competitive free-enterprise system and Soviet communism could live in the same world side by side.

Earl Browder said that. He was president of the Communist Party in America at that time as you well know.

Now, then, when this Duclos letter came to the American Communist Party in that year, it said, those two philosophies cannot survive side by side in the same world. The Soviet system must be victorious, must be the only system of economics in the world. It has to survive, and as a result of the Duclos letter, Earl Browder was kicked out of the American Communist Party.

Mr. Foster was put in, still there; Browder out, so that since April and May 1945, sir, I want to make it clear to you and everyone else

that my impression as an American is that any man or women that has read the history, political history, economic history, since about April or May 1945, is charged with notice that since that year it has been a showdown between the American system of competitive free enterprise and the Soviet system of conspiritorial communism.

Now, then, one more point: As I read the record of the Federal court cases and the jury cases in the United States in the last 2½ or 3 years where the Smith Act has been used as the legal instrument to convict those charged by our Federal district attorneys with teaching and advocating the forceful overthrow of our form of government, every one, as I read it, Mr. Leitson, and you tell me if I am wrong, but in every one of those cases every defendant, and there have been about 12 cases, 12 different parts of the United States—in every one of those jury cases every defendant has been found guilty with the exception of one.

Now, then, I am explaining to you why I think you are quite right, that the people have come to the conclusion as a result of those 12 jury cases throughout the United States, where every defendant, members of the Communist Party, has been found guilty of teaching and advocating the forceful and violent overthrow of our form of government.

They, therefore, have tied up with the Communist conspiracy anyone who is charged with being a member of the Communist Party, whether he advocates the forceful and violent overthrow of our form of government or not, and I would say to you, sir, because you are under oath and you are a member of the bar, I would say to you that I will take your statement at face value that you never taught nor advocated the forceful and violent overthrow of my form of government and your form, but I will say to you that if you had been tied up—I am not referring alone to you—but if you or any other American citizen has been tied up with the American Communist Party under core or underground or leadership since about April or May 1945, directly or indirectly, with the underground, with the hard core of the American Communist Party, then you did it with your eyes open, and you are charged in the minds of the American public as advocating the use of force and violence to overthrow our form of constitutional government.

That is why, attorney, I think, in my study of this problem and sitting on this committee, that so many people have a feeling that a man that is subpenaed before our committee and pleads the fifth amendment, especially, is in some way tied up with the conspiracy which has been proven to exist.

One more statement and then I will not take more time, Mr. Chairman, on this, but I feel this was an appropriate place to explain to this young lawyer an answer to his question. I have had the benefit of two experiences recently in Congress in the last few years. A couple years ago, 3 years ago, I was sent to Korea and Japan and the Philippines. While over there I interrogated most civilian and military intelligence on the question of the Communist conspiracy abroad, and they all told me, sir, that the conspiracy there in China, Japan, Philippines, Indochina, was part of the same conspiracy that is present right here with any who advocate force and violence. That is one point.

The second point is this, when I was in Europe 8 or 9 months ago for Congress, I interviewed most of the American Ambassadors, most of the American consuls, most American intelligence, and some foreign intelligence. They, Mr. Chairman, told us the same thing. It is part and parcel of the same conspiracy. Those in the United States who are hard core and who do advocate the use of force and violence to overthrow, are the brains of the American Communist Party, and those who choose to associate with those unpatriotic traitors, they choose to do it knowingly, they bear the brunt and bear the results.

That may explain your answer where you feel that people think that people who come before this committee are guilty of some wrongdoing.

Mr. LEITSON. Well, sir, I would like to say this, that many organizations have been listed as Communist-front organizations and Communist organizations, and the latest that I heard mentioned, during the course of these hearings, was the Progressive Party. A witness testified yesterday that the Progressive Party was a Communist organization.

Now, what you are in effect saying—if I am wrong, correct me—is that membership in an organization that is called a Communist organization makes all those members ipso facto advocates of the use of force and violence which I don't agree with.

Mr. DOYLE. Not at all in my book; not at all in my book. May I say to you, though, the uncontroverted evidence, sir, and I think you know it because I see that you are familiar with the problem—you know the record shows the Progressive Party, IPP, as initiated in our country was initiated under the control of the Communist Party in the United States. That is the record, and I think you know it. We might just as well face that.

Mr. CLARDY. We have all kinds of evidence on that fact, and it has never been controverted. I join you, Mr. Doyle. My trip last fall all over Europe brought me exactly the same information that you have. That is one of the reasons I went abroad, to find out if that was the fact at first hand, and it was certainly confirmed. Do you have any more questions, Mr. Tavenner?

Mr. TAVENNER. Yes, sir.

Mr. DOYLE. May I make this one statement, and then I will be through. In view of your statement that because membership in a party were later developed to be Communist led or Communist controlled, that didn't charge everyone in that group, in that organization, with being a commie—I won't agree with you. I don't go on the theory of guilt by association, but if you stay in that association too long, some of it rubs off on you.

Mr. CLARDY. What Mr. Doyle was saying, and what I agree with, is that certainly after the Duclos letter anybody who pleads that he didn't know that he was in the Communist Party that was dedicated to the destruction of this Government by force and violence is just telling us something that isn't so, and it can't be so, because everyone in the world was put on notice then.

I am one who believes that anybody who ever belonged in the party knew that from the beginning because that has been written in the dogma of the party from the day it was organized and suggested by Karl Marx down to the present time.

Proceed, Mr. Tavenner.

Mr. TAVENNER. Mr. Leitson, I think in light of your statement with regard to the Progressive Party, that I should call to your attention that the witness, Mrs. Churchill, testified that in the inception of the organization of the Progressive Party in Flint there were many persons who were members of it who were in no sense connected with the Communist Party, but she further testified that as time progressed, the leadership of the Progressive Party were those persons who were members of the Communist Party, and the committee has heard considerable evidence to that effect.

I would like to know from you whether or not members of the Communist Party held official positions in the Progressive Party in Flint, to your knowledge.

Mr. LEITSON. Sir, the answer to that question implies that I have knowledge of the workings of the Progressive Party here in the city of Flint.

Mr. TAVENNER. Well, do you?

Mr. LEITSON. Right after listening to Congressman Clardy, I cannot possibly answer that question. I refuse to answer it for the reasons previously stated.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. LEITSON. Sir, I believe you asked that question before.

Mr. TAVENNER. No, sir; I have not.

Mr. LEITSON. Well, I was under the impression that you had. I refuse to answer that question for the reasons already stated.

Mr. TAVENNER. Have you ever been a member of the Communist Party?

Mr. LEITSON. Same answers, same reasons.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. CLARDY. Any questions, Mr. Velde?

Mr. VELDE. Mr. Leitson, just one short question and possibly an observation. You possibly are familiar with the legislation which is pending before the Congress of the United States at the present time, that being a bit of legislation that has been recommended by the President of the United States, which some of us believe in, which would grant immunity from prosecution for crimes from anything arising out of congressional hearing to a witness who saw fit to take advantage of that offer of immunity. If that bill were in full force and effect at the present time and you were offered immunity, would you then aswer the questions that have been put to you by Counsel?

Mr. LEITSON. That, sir, is a question that I could say is hypothetical.

Mr. VELDE. It is hypothetical, yes.

Mr. LEITSON. But I will say this, that I do not believe that taking the fifth amendment out of the Constitution at the request of the President or at the behest of the Attorney General is a proper piece of legislation, and I would, being so firmly opposed to depriving people of the fifth amendment which has been the heritage of our country since it was formed——

Mr. VELDE. Now, Mr. Leitson, it isn't depriving——

Mr. LEITSON. It goes against everything I believe in.

Mr. VELDE. It is not depriving the people of the fifth amendment whatsoever. Of course some day some legislation to that effect will

be passed by the Congress; I might say also, not only with reference to your particular case, but with reference to other cases which otherwise would have appeared here and elsewhere throughout the United States. It seems to me that any person who joins the Communist Party, after the Duclos letter, as late as 1947, 1948, must be aware that the Attorney General of the United States and the courts of the land, our congressional committees, have found that the Communist Party is a conspiracy designed to overthrow our form of government.

Therefore, if he engages in Communist Party activities, he is certainly recognized by me and I am sure by a great majority of the American people to have done so or be doing so voluntarily.

Mr. CLARDY. Any further questions, Mr. Doyle?

Mr. DOYLE. No questions, Mr. Chairman, but—and I don't direct this to you alone, Mr. Leitson, but I feel I must say this to you. You apparently have great ability, great resources mentally, physically. I invite you to look into the facts about what we have related about what the Communist Party in the United States is standing for if you don't know. I invite you to look into it, and then I invite you to get on the ball and fight it, fight it tenaciously, because you are a young man, you are important.

You, as a member of the bar, owe that to your country, not to be lax, not to keep yourself in any association, even unintentionally, where you may be misunderstood. I say it to you frankly. There are a lot of boys in Korea and elsewhere who can't do it, and I want to urge all you people who may hear me to get on the ball and do your dead level best honestly and in good faith to fight this thing which is the cause of Korea, which is the cause of Indochina. That is what it is in Korea and Indochina, a part of the conspiracy to take over the control militarily, economically, politically, socially, of the free world, and if you as a member of the bar don't know it, it is time you do know it and get busy and get on the ball and fight it.

You will pardon me for referring to you in that way, but that is just a way I feel as a member of the court, the same as you are, and I want to urge all people to do that same thing. If you don't, some of your own sons and grandsons are going to be over there fighting for us.

Thank you, Mr. Chairman.

Mr. CLARDY. Any further questions, Mr. Tavenner?

Mr. TAVENNER. Mr. Chairman, may I venture to make a statement to the witness?

Mr. CLARDY. Proceed.

Mr. TAVENNER. I just want to inform the witness that there have been instances where persons have appeared before this committee and have relied upon the fifth amendment and have refused to advise the committee of their knowledge of activities, and some of those people have come back even as late as 2 years afterward, as an entirely voluntary matter on their part, and have felt greatly relieved by having done so, and advised the committee, and I just want merely to say that if at any later time you desire to talk to the staff or any member of this committee, you will be heard.

That is all I have to say.

Mr. CLARDY. I want to add to that this fact, that no one who has come before this committee and cooperated, to our knowledge, has ever had economic sanctions visited upon them as a result of their helping their government root out every tentacle of this traitorous conspiracy.

No one has anything to fear if he will tell the truth, if he will help his Government in the fight that Mr. Doyle has so eloquently described.

The witness is excused. Call your next witness.

Mr. TAVENNER. Mr. Max Dean.

Mr. CLARDY. You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DEAN. I do.

Mr. CLARDY. Will counsel please again identify themselves?

Mr. NEWBLATT. Harry Newblatt.

Mr. SELBY. Guy W. Selby.

Mr. MAGEE. David Magee.

Mr. WISTRAND. Bruce Wistrand.

Mr. CHARLES DEAN. Charles C. Dean.

Mr. DOYLE. Again, Mr. Chairman, I am sure you join with me in saying that we appreciate your taking time to come to the hearing and represent your client, five busy lawyers.

TESTIMONY OF MAX DEAN, ACCOMPANIED BY HIS COUNSEL, HARRY NEWBLATT, GUY W. SELBY, DAVID MAGEE, BRUCE WISTRAND, AND CHARLES C. DEAN

Mr. TAVENNER. What is your name, please, sir?

Mr. DEAN. Max Dean.[1]

Mr. TAVENNER. When and where were you born, Mr. Dean?

Mr. DEAN. December 15, 1922.

Mr. TAVENNER. Where?

Mr. DEAN. In Flint, Mich.

Mr. TAVENNER. Where do you now reside?

Mr. DEAN. Here in Flint.

Mr. TAVENNER. What is your profession?

Mr. DEAN. I am a justice of the peace and practicing attorney.

Mr. TAVENNER. Will you tell the committee, please, how long you have been engaged in the practice of law?

Mr. DEAN. Since August 1950.

Mr. TAVENNER. What was your educational training and preparation for the practice of your profession?

Mr. DEAN. I am a graduate of the Beecher High School here in Flint, and after that I took two years at the Central Michigan College of Education in Mount Pleasant, Mich.

Mr. TAVENNER. I am sorry, I did not understand the name of the school.

Mr. DEAN. The Central Michigan College of Education.

Mr. TAVENNER. When did you complete your work there?

Mr. DEAN. In 1942.

Mr. TAVENNER. Where did you take your legal training?

Mr. DEAN. After I—I did not finish my literary training at the Central Michigan College. In 1942 I entered the Navy and received the training of a pilot in the Naval Air Training Corps and took my commission in the Marine Corps Reserve.

Mr. TAVENNER. How long were you in the Armed Forces?

Mr. DEAN. Until January 1946.

[1] Individual identified herein as Mr. Dean refers to the witness, Max Dean.

Mr. TAVENNER. Did you have service overseas?

Mr. DEAN. Yes, I did.

Mr. TAVENNER. In what area?

Mr. DEAN. I was in the Pacific area where I was stationed for nine months with a dive bomber squadron as a pilot, and at that time I feel I would like to inform the committee that I received two Distinguished Flying Crosses and five Air Medals.

Mr. TAVENNER. I wanted to give you the opportunity to say that.

Mr. DEAN. Thank you.

Mr. CLARDY. You say you were a pilot?

Mr. DEAN. Yes, I was.

Mr. CLARDY. We have something in common, at least. I have been one for better than 25 years, so I think I will understand your language. Proceed.

Mr. DEAN. About my formal education?

Mr. TAVENNER. When did you receive your honorable discharge?

Mr. DEAN. It was in—I was separated from the service and procured my discharge honorably about 1952.

Mr. TAVENNER. When were you separated from the service?

Mr. DEAN. In January of 1946 when I left the active duty with the Reserve.

Mr. TAVENNER. Now will you tell the committee, please, what you did upon your separation from the service?

Mr. DEAN. I enrolled at the University of Michigan School of Literature, Science, and Arts.

Mr. TAVENNER. How many years did you engage in study at the University of Michigan?

Mr. DEAN. I received my bachelor of arts degree there and then entered the Law School at the University of Michigan.

Mr. TAVENNER. When did you receive your degree?

Mr. DEAN. In February of 1949.

Mr. TAVENNER. You stated that you received your discharge in 1952.

Mr. DEAN. Yes.

Mr. TAVENNER. Is that correct? Was that a Reserve commission which you held?

Mr. DEAN. Yes.

Mr. TAVENNER. Did you renew your Reserve commission?

Mr. DEAN. No, I did not.

Mr. TAVENNER. Did you attempt to renew it?

Mr. DEAN. Never.

Mr. TAVENNER. You do not hold a commission now?

Mr. DEAN. No, I do not.

Mr. TAVENNER. Were you afforded a hearing of any character in connection with your Reserve commission?

Mr. DEAN. What do you mean by that, sir?

Mr. TAVENNER. Was any action taken prior to the granting of your discharge with regard to your Reserve commission?

(At this point Mr. Dean conferred with Mr. Wistrand.)

(At this point Mr. Dean conferred with Mr. Charles Dean.)

Mr. DEAN. Yes, I received from the Marine Corps under the appropriate Marine Corps regulation which was promulgated under the Bureau of Personnel of the Navy, which also had a directive that was based upon the President's Executive order, asking me to answer certain interrogatories, and I objected to the interrogatories and submit-

ted a letter of resignation criticizing the use of this method and tendered my resignation regretfully.

I informed the commandant that I felt that he was having to do this because of political pressures in Washington, and I received a letter back from him accepting my resignation and commending me for my service, and he enclosed—and I received my honorable discharge from the Marine Corps at that time.

Mr. TAVENNER. What was the nature of the interrogatory which you would not answer?

Mr. DEAN. The nature of the interrogatory?

Mr. TAVENNER. Yes.

Mr. DEAN. It concerned the organizations which this committee is set up to investigate, I assume. I would like at this time to ask the committee if they would rule upon the motion that my counsel, Mr. Wistrand, prepared for me.

Mr. CLARDY. We have had them for several days. Mr. Wistrand placed them in our possession. They are in substance addressed to the jurisdiction of the committee, and they have been raised in the same form or substantially so many times. Those will be denied.

Mr. DEAN. I wonder if the other members of the committee have had an opportunity to pass on that, Mr. Chairman.

Mr. CLARDY. I passed them around the day that they got them. They looked them over.

Mr. DEAN. I am concerned——

Mr. CLARDY. We had, as a matter of fact, some 5 separate ones all identical presented to us at one time.

(At this point Mr. Dean conferred with Mr. Wistrand.)

Mr. CLARDY. The motion is denied.

(At this point Mr. Dean conferred with Mr. Charles Dean.)

Mr. DEAN. The reason I renew my request is that the composition of the committee has changed, and I would appreciate a ruling from the committee sitting en banc. I know Mr. Doyle has just arrived, and I don't know whether he has given my motion any consideration or not.

Mr. CLARDY. Well, the motion was submitted to us, we considered it. It will be taken under further consideration, as they always are. They will be in the file, and if at any time subsequent the entire committee decides to overrule the action of the subcommittee, that will be duly noted in the record.

Mr. DEAN. I would like to state in answer to the question that Mr. Tavenner has directed to me at this time that I do have certain legal objections to the proceedings which as an attorney I would like to make, and I believe that since the committee consists of attorneys, that they would be glad to indulge me that time to make those objections.

Mr. CLARDY. Well, let me inquire. To start with, your motion was a motion to quash the subpena, and of course the subpena will not be quashed. Furthermore, it would be a moot problem. You are here, you are before us, and any action that we may take on that would be of no moment anyhow, but now are you addressing yourself to something else?

Mr. DEAN. Yes, Mr. Clardy.

Mr. CLARDY. Well, then, as questions are addressed to you, you have the right, and we will give you the privilege, of stating any objection

that you have to the particular question as it comes along. As to your making or reading any statement in advance of answering questions, that custom and that practice is not permitted. That is not to say that you may not raise any and all proper objections to questions as we go along. But no prepared statement will be read into the record unless you answer the questions, not refuse to answer them, and then only if the committee considers what you want to read pertinent to the inquiry, and at the conclusion of the hearing.

Mr. DEAN. Well, I would like to say to that, Mr. Chairman, that it is not a prepared statement. It is a motion which has been filed with this committee, and I assume has been made a part of this proceedings. I am not contesting the question of the service of the subpena. I know that I was not properly informed of the adjourned date of the hearing.

Mr. CLARDY. I must dispute you there, but you can make that contention if you wish.

Mr. DEAN. I am not making that contention because I am here; but I do have other objections that do not go to the validity of the process or the service of the subpena.

Mr. CLARDY. What is involved?

Mr. DEAN. Well, it concerns the constitutional basis of the committee, which I am very interested in, and I would like to make a statement concerning the constitutional basis of the committee.

Mr. DOYLE. I would say to the gentleman that the high courts have ruled on that, and I think, Mr. Chairman, file the gentleman's statement with us, but we are not going to change our position in view of the high courts' decision that the committee's point is constitutional. The Supreme Court of the land is the best court I have ever heard of, not you or me, so why take the time to make an argument which will not change our tactic, don't you see.

Mr. CLARDY. Yes; the subcommittee is unanimous on the position. If you have something in writing you would like to file with us, we will accept it, but we must insist that the counsel go forward with the questions at this time with the understanding you may raise proper objections as we go along.

Mr. DEAN. All right, sir.

Mr. TAVENNER. Will you answer the question, please, sir. Do you recall the question?

(At this point Mr. Dean conferred with Mr. Wistrand.)

Mr. DEAN. Would you have the question reread?

Mr. TAVENNER. I will restate it.

(At this point Mr. Dean conferred with Mr. Wistrand.)

Mr. DEAN. All right, sir.

Mr. TAVENNER. My question was: Will you tell the committee, please, what the nature of the interrogatory was which you refused to answer.

Mr. DEAN. No; I do not feel at liberty to do that, sir. The communication was in the form of restricted material, and as to any of the details of the statement I am not at liberty to disclose them.

Mr. CLARDY. Are you speaking now of the Presidential directive?

Mr. DEAN. No; I am not referring to the law concerned. I am referring to Mr. Tavenner's question as to the nature of the interrogatories which were submitted to me.

Mr. CLARDY. Well, I know, but I understood you to raise the objection that it was restricted material, and my question was: Are you relying on the Presidential directive about the release of certain classes of classified material?

Mr. DEAN. No; I am not relying upon that——

Mr. CLARDY. When or what are you——

Mr. DEAN. I am relying upon the communication I received with the interrogatories which instructed me that they were confidential and that their nature could not be disclosed, and that is my grounds for my reliance.

Mr. CLARDY. Well, that order had to do only with an unauthorized release; not to the Congress of the United States. I shall direct you to answer that question.

Mr. DEAN. Well, under direction—and I want it clearly understood that this is being answered solely under direction—I would like to state that the interrogatories asked me whether I had ever been associated with the American Youth for Democratic Action, whether I had ever been associated with the National Lawyers' Guild, and whether I had ever been associated—whether I had ever asked anyone to attend a Communist meeting.

Mr. CLARDY. And those were the inquiries or interrogatories that you did not answer; is that correct?

Mr. DEAN. That is correct. I felt that they had no right to make those inquiries.

Mr. CLARDY. Proceed.

Mr. TAVENNER. Were you also asked the question whether or not you had ever been a member of the Communist Party?

Mr. DEAN. No; I was not, sir.

Mr. TAVENNER. Had you been a member of the Communist Party prior to the time that you received that interrogatory?

Mr. DEAN. I will make this statement, that I feel as a witness who has been subpenaed here, who has not appeared voluntarily, that the question must be answered in this way, that the Communist Party, to my knowledge, has been included among those organizations which are considered by this committee and the Attorney General as a subversive organization. Now I believe that the members of this committee, since they are attorneys, will probably be agreeable—will agree with the statement that I feel that any citizen who has had associations or if they have not had, if they feel that there is evidence that this committee has which would end to link them with the Communist Party, would be very foolish to answer the questions directed at their relationship or associations with the Communist Party.

Now, I refuse to answer that question for all of the constitutional grounds which I include in my motion to quash the subpena.

Mr. TAVENNER. Does that include specifically the fifth amendment?

Mr. DEAN. I would like to state my grounds, if I may.

(At this point Mr. Dean conferred with Mr. Charles Dean.)

(At this point Mr. Dean conferred with Mr. Wistrand.)

Mr. CLARDY. Witness, since you know we all three of us are attorneys, it will not be necessary for you to argue them. You may state them. You may take it for granted that we have a well-grounded knowledge of what the various amendments contain and what they mean, so if you tell us which ones you are relying on, you will be fully

protected. You will have the advantage of any argument you wish to make at any time in the future.

Mr. DEAN. I shall be very brief.

Mr. CLARDY. Thank you.

Mr. DEAN. I would like to ask a question of the committee as to whether there was majority approval to conduct the investigation. Is there majority approval of the committee to conduct this investigation?

Mr. CLARDY. I didn't get the import of that because there is a little reverberation here. May I assure you, sir, under the rules of the committee that applies in this instance, as all others, no investigation is commenced without the prior approval of the vote of the entire committee, and I might tell you, we do not undertake them unless we have unanimous vote, although we can do so by a majority. That applies here and in every other instance, despite the left-wing propaganda to the contrary.

Now, proceed.

Mr. DEAN. Well, I would like to ask the committee, when this hearing commenced——

Mr. CLARDY. Wait a moment. You are supposed to be answering questions. I have answered that one, but from here on out I think you had better answer.

Mr. DEAN. The reason why I ask that, sir, is that under the rules it states that the purpose will be set forth, and since I wasn't here at the commencement of the hearing, I——

Mr. CLARDY. The purpose of all these hearings is set forth in Public Law 601, always, no deviation. However, you are reading from a rule that applies only to the regulation of the internal affairs of the committee and has nothing to do with this public hearing.

Mr. DEAN. Well, I had assumed that the rulings were promulgated so that witnesses would know what type of conduct was expected of them before the——

Mr. CLARDY. Public Law 601, ever since it has been on the books, quite a while now, has served notice on everyone as to the purposes of these hearings. We stay within that limitation.

(At this point Mr. Dean conferred with Mr. Wistrand.)

Mr. CLARDY. We have been requested to go outside and explore things that the Labor Committee and other committees should explore, when some of the witnesses have been on the stand, but unfortunately we can't go into them.

Now, will you proceed to ask your question, Mr. Tavenner?

Mr. TAVENNER. The witness has not answered the question. I can ask it again.

Mr. CLARDY. I wish you would because there has been so much that happened.

(At this point Mr. Dean conferred with Mr. Charles Dean.)

Mr. TAVENNER. As soon as the witness has conferred with Counsel——

Mr. CLARDY. Restate your question.

Mr. TAVENNER. The question was whether or not you were or had been a member of the Communist Party at the time you refused to answer the questionnaire or interrogatories submitted to you by the Marine Corps.

Mr. DEAN. Well, in my answer to that question in which I am refusing to answer the question I am stating my legal grounds for so refusing, and one of my legal grounds is an objection to the wording of Public Law 601 which charges this committee with the duty of investigating subversive and un-American propaganda activities.

Now, my objection is that I feel those words are so vague, so controversial, so subject to interpretation, that this committee is powerless to proceed based upon that law.

Mr. TAVENNER. The Barsky case was a very full consideration of that very subject.

(At this point Mr. Dean conferred with Mr. Magee.)

Mr. CLARDY. Do you have any other objections?

Mr. DEAN. I rely upon the Bill of Rights to the Constitution, upon the first amendment, the fifth amendment, including the due process clause, and the right not to be a witness against myself, and the other amendments which are applicable to the rights of citizens as opposed to the arbitrary power of government.

Mr. CLARDY. Ask your next question.

Mr. TAVENNER. At the time that you were at the University of Michigan between January 1946 and February 1949 were you aware of the existence of an organized group of the Communist Party at that university?

Mr. DEAN. Mr. Tavenner, if your question is directed towards an awareness that stems from knowledge of the press, of the radio, of magazine articles, of a general knowledge that grows from what any person will know, my answer is "Yes."

Mr. TAVENNER. What was the name of that group of the Communist Party?

Mr. DEAN. I said I was aware of the Communist activity from the knowledge that anyone has from reading the press.

Mr. TAVENNER. Well, were you aware that the name was the Ralph Neafus Club of the Communist Party?

Mr. DEAN. Not at that time; no, sir.

Mr. TAVENNER. You were not aware at any time while you were at the University of Michigan——

Mr. DEAN. I may have become aware. I believe it was well known in the press at that time; yes, sir.

Mr. TAVENNER. Were you a member of it at any time?

Mr. DEAN. In answering that question, it is similar to the other question which I invoked my privileges under the fifth amendment, and I want to say, because I feel that there is some misunderstanding, or might be, why I do, and that is this, that the Ralph Neafus Club was referred to on several occasions in the Detroit hearings, and I think it may have been referred to here. Now I was a student at the University of Michigan. I feel that any question concerning the Ralph Neafus Club, whether I know anything about it or not, is a very poor question for me to answer for the reason that although I do not fear conviction, I feel that if I give this committee evidence which may tend to furnish a link in the evidence which is needed to found a prosecution against me, that in view of the conduct of the Attorney General's office, in view of the statement made by members of this committee and the list that they have promulgated, that there could very easily—and I feel that as a lawyer, I very reasonably and

in good faith, invoke the privilege under the fifth amendment which provides that I do not have to furnish any evidence to anybody which could be used to found a prosecution against me.

Now, I say I do not fear conviction for this reason, that in a court of law I would have the advantage of the right of convertation, the right of cross-examination, the common law rules of evidence, which would restrict most of the material that has been introduced here. I would have the right to subpena witnesses to help defend me. I would have a right to present before the body which is searching for the truth facts within the framework of what lawyers especially have come to regard as the American system of jurisprudence. I would not have to face this sort of one-sided inquiry where people are smeared by questions. You don't even have witnesses, and that is why I object.

Mr. CLARDY. Witness, in view of all you have said and all the rights you would have in court, then why do you fear to tell us the honest truth, because obviously with all of the advantages you have recited, when once you get into court, if you do, you would have ample protection from your own recitation.

Mr. DEAN. Mr. Clardy, I have been very aware of what is going in this country since the last war. I mean, I read quite a deal, I read the daily newspaper, and I am quite acquainted with the attitude that people have in this country, and I don't agree with it; I think that the day will come when we will be able to settle our differences, when we will be able to trust our neighbors, we will be able to vote at the polls and decide all the issues that we want to decide in that way, but as long as some people are being persecuted, that are sent to jail for their beliefs, I feel that a person is very unwise, and as a lawyer I think that you will agree with me, that if I know anything or not, that it is a very wise person who claims the privilege of the fifth amendment today.

Mr. CLARDY. No, I do not agree with you. No honest person giving a truthful answer need fear anything at the hands of his Government. I differ violently with you, sir. You are ill advised as a lawyer to try to convince them in this community that yours is a sound stand. It definitely is not.

(At this point Mr. Dean conferred with Mr. Charles Dean and Mr. Magee.)

Mr. CLARDY. Will you proceed with your questions?

Mr. TAVENNER. I hand you a photostatic copy of the membership report of student organizations for the spring semester 1946–47 at the University of Michigan relating to the Michigan Youth for Democratic Action. Will you examine it, please? Will you look at line 6 and tell the committee, please, whose name appears there.

(At this point Mr. Dean conferred with Mr. Wistrand and Mr. Charles Dean.)

Mr. CLARDY. Is there a question pending, Mr. Tavenner?

Mr. TAVENNER. Yes, sir.

(At this point Mr. Dean conferred with Mr. Charles Dean, Mr. Selby, and Mr. Newblatt.)

(At this point Mr. Dean conferred with Mr. Wistrand.)

Mr. DEAN. I have never seen this document before.

Mr. TAVENNER. That is not an answer to my question. Do you recall the question?

Mr. DEAN. No.

Mr. TAVENNER. My question was, Will you examine line 6 of the document and state whose name appears there?

(At this point Mr. Dean conferred with Mr. Wistrand.)

Mr. TAVENNER. Will you examine it, please?

Mr. DEAN. I have examined it, Mr. Tavenner. I would like to say that this is your exhibit. I have never seen it before. If you wish anything read from it, I think that you should.

Mr. CLARDY. Witness, he hasn't asked you to read it. He has merely asked you to inspect it and tell us about one little simple thing. Now, are you refusing to do that?

Mr. DEAN. I am, sir.

Mr. TAVENNER. Is it not true that on line 6 of that record of membership that there appears the name Max Dean?

Mr. DEAN. Is that question directed at me?

Mr. TAVENNER. Yes.

Mr. DEAN. Well, as I stated before, it is your exhibit, and I believe if you wish any evidence to be read into the record from it, that you should do that.

Mr. CLARDY. He is not asking you to read anything. He is asking you if it isn't a fact, however, that your name, Max Dean, does appear on a certain line of that particular piece of paper.

(At this point Mr. Dean conferred with Mr. Wistrand.)

Mr. DOYLE. May I ask the young lawyer there, you certainly don't object to the form of that question on the ground that it would be incompetent in a court of law?

Mr. DEAN. Yes, I do. I do not think it has been authenticated or identified, and I object.

Mr. DOYLE. It is only a question of whether or not a name appears there.

(At this point Mr. Dean conferred with Mr. Charles Dean.)

(At this point Mr. Dean conferred with Mr. Wistrand and Mr. Magee.)

Mr. TAVENNER. Will you please answer the question, if you are ready?

Mr. DEAN. Well, I feel that it is a question of principle here, of legal procedure, and there has been no identification or authentication of this document.

Mr. DOYLE. May I interrupt? You know full well this is not a court of law and we don't pretend to be. Mr. Chairman, I move the witness be instructed to answer.

Mr. CLARDY. You are, and——

Mr. DOYLE. I think it is a frivolous way to answer that question, I am frank to say.

Mr. CLARDY. It is more than frivolous. I think you have had enough experience as a lawyer to recognize contempt when you see it.

(Representative Harold H. Velde left the hearing room at this point.)

Mr. CLARDY. In this instance we are merely asking you if it isn't a fact that the name Max Dean appears on a certain line on that document.

Mr. DEAN. On line 6 the name Dean, Max appears.

Mr. TAVENNER. I am sorry, I did not understand.

Mr. DEAN. Dean comma Max.

Mr. CLARDY. Proceed, Mr. Tavenner.

Mr. TAVENNER. Were you a member of that organization in 1946?

Mr. DEAN. What organization are you referring to, sir?

Mr. TAVENNER. The heading of which appears at the top of the page, Michigan Youth for Democratic Action.

(At this point Mr. Dean conferred with Mr. Charles Dean and Mr. Magee.)

Mr. DEAN. It is my understanding that that organization is listed on the Attorney General's list, and therefore I invoke my privelege under the fifth amendment and decline to answer that question.

Mr. TAVENNER. Was the Michigan Youth for Democratic Action an affiliate of the American Youth for Democracy?

Mr. DEAN. I rest upon my privilege under the fifth amendment not to answer that question for the reasons I have stated previously.

Mr. TAVENNER. Isn't the reason for your refusal to answer the interrogatories submitted to you by the Marine Corps the fact that you were a member of the American Youth for Democracy at the University of Michigan and that that organization was an affiliate of the American Youth for Democracy?

(At this point Mr. Dean conferred with Mr. Magee.)

(At this point Mr. Dean conferred with Mr. Charles Dean.)

Mr. DEAN. I would like to say in answer to that question that the organization was, to my knowledge, one that is listed on the Attorney General's list and that, as I recall it, there were many organizations on the University of Michigan campus which were authorized by the dean of students, and these organizations were given the privileges of the university; they were afforded the right to use university property; they had the right to use the men's union and other buildings, and as a condition of that right these organizations were required to file lists of students with the dean of students office. Now there are a very many organizations on the University of Michigan campus, and I find that many of them have also been listed on the Attorney General's list. Now, because of that listing I refuse to answer any questions in connection with that organization, and I rely upon my rights under the fifth amendment to the Federal Constitution in so doing.

Mr. TAVENNER. Did Jack Gore appear before the committee of the student affairs and argue the matter and present data on the American Youth for Democracy in connection with a request for the Michigan Youth for Democratic Action to become affiliated with it?

(At this point Mr. Dean conferred with Mr. Charles Dean.)

(At this point Mr. Dean conferred with Mr. Magee.)

Mr. DEAN. I have no knowledge of that sir,

Mr. TAVENNER. I desire to offer in evidence for identification only the photostatic copy of the membership report referred to and ask that it be marked "Dean exhibit No. 1," and I desire also to introduce in evidence as Dean exhibit No. 2, minutes of the meetings of the committee of student council affairs for January 24, 1946, reflecting that Mr. Gore appeared before the committee to present data regarding affiliation with the American Youth for Democracy.

Mr. CLARDY. They will be received.

(Photostatic copy of membership report, marked "Dean exhibit No. 1," for identification, was received in evidence.) [1]

(Minutes of meetings of committee of student council affairs for January 24, 1946, marked "Dean exhibit No. 2," was received in evidence.)[1]

Mr. TAVENNER. I desire now also to offer in evidence for identification a letter of April 26, 1947, signed Alexander C. Ruthven, addressed to Miss Harriet Ratner, president of the Michigan Youth for Democratic Action, Ann Arbor, Mich., which reads as follows:

DEAR MISS RATNER: Evidence which it is impossible to disregard indicates that the American Youth for Democracy has become conspicuously identified with Communist influences. This has resulted in widespread criticism of its activities, not only by the general public, but by the law enforcement agencies of the Government of the United States.

The Michigan Youth for Democratic Action is an affiliate of the American Youth for Democracy. In the circumstances, therefore, the Michigan Youth for Democratic Action is performing a disservice to the educational and other interests of the University of Michigan. For this reason its recognition as a university student organization is hereby withdrawn.

Were you acquainted with Jack Gore in 1946?

Mr. DEAN. I refuse to answer that question on the grounds that I have stated, for the same reasons that I have stated.

Mr. TAVENNER. Did you become a member of an organization on the campus known as committee for civil rights?

Mr. DEAN. I have no recollection. I know that I was very interested in civil rights, and it may be that I did. I don't recall it.

(At this point Mr. Dean conferred with Mr. Charles Dean.)

Mr. TAVENNER. I hand you a photostatic copy of the membership list for the committee of the university, and I will ask you to examine it and see if it does not refresh your recollection?

Mr. DEAN. Does it refresh my recollection? I note on the head of the document the words "membership list for the Committee of the Civil Rights Congress" and congress is deleted. Now, to my information the Civil Rights Congress has been characterized as a subversive organization by the Attorney General of the United States, and I believe that it has been named as such by this committee and by other governmental agencies. Now, making that statement does not mean to imply that I agree in anyway with the decision made by those governmental agencies, but because of their decision I refuse to answer the question and base my refusal upon my right against self-incrimination under the fifth amendment.

Mr. CLARDY. As a matter of fact, the designation of that group, the Committee for Civil Rights was changed to that of Civil Rights Congress, was it not, as shown from the top of the document?

I have misstated that, it was changed from Civil Rights Congress to that of Committee for Civil Rights.

Mr. DEAN. It appears so from the document, sir.

Mr. TAVENNER. Do you recall why that was done?

Mr. DEAN. I have no independent recollection of this.

Mr. TAVENNER. Were you also a member of the National Lawyers' Guild while a student at the University of Michigan?

Mr. DEAN. I believe that the National Lawyers' Guild is presently litigating the right of the Attorney General to determine it to be a subversive organization in the District Court of Columbia. I think they were given an injunction by the circuit court of appeals enjoining the

[1] Retained in committee files.

Attorney General from listing them as a subversive organization until there could be final hearings on the merits as to where the law under which he acted was constitutional or not. Now because of the attempt made by the Attorney General to name the National Lawyers' Guild a subversive organization, I am refusing to answer that question. Now, in doing so I do not want anyone on this committee to get the impression that I feel that the National Lawyers' Guild is anything other than an honorable bar association, on the same plane as the American Bar Association.

Mr. CLARDY. I want the record to show that I emphatically differ with your statement on that score, sir, but I want to also point out definitely that if you are not a member of that organization, it doesn't make a bit of difference what the Attorney General may say. If you have any apprehensions of being convicted of a crime because you belong to the organization, I think as a lawyer you must know better.

(At this point Mr. Dean conferred with Mr. Wistrand.)

(At this point Mr. Dean conferred with Mr. Magee.)

(At this point Mr. Dean conferred with Mr. Charles Dean.)

Mr. CLARDY. Proceed, Mr. Tavenner.

Mr. TAVENNER. Will you tell the committee, please, whether or not the Communist Party endeavored to exercise any influence or control over any one of the organizations which I have discussed with you, namely, the Michigan Youth for Democratic Action, the Committee for Civil Rights, and the National Lawyers' Guild?

Mr. DEAN. Mr. Tavenner, I want to repeat the objection I made before and the reasons in refusing to answer that question.

(At this point Mr. Dean conferred with Mr. Charles Dean.)

(At this point Mr. Dean conferred with Mr. Selby.)

(At this point Mr. Dean conferred with Mr. Newblatt.)

Mr. TAVENNER. Did you have occasion in the year 1949 to travel abroad?

Mr. DEAN. Yes, I did.

Mr. TAVENNER. Did you apply for a passport on the 17th day of January 1949?

Mr. DEAN. I applied for a passport. I do not recall the date.

Mr. TAVENNER. I hand you a photostatic copy of a passport bearing the date of January 17, 1949, and ask you to state whether or not you recognize it as a copy of your passport?

(At this point Mr. Dean conferred with Mr. Charles Dean.)

Mr. DEAN. The documents which you presented to me and which I now hold in my hand appear to be an application for a passport by myself.

Mr. TAVENNER. Where does it state that you intended to travel. You will see it on the second page. In what countries?

Mr. DEAN. To France, possibly a visit to England, Spain, and Italy.

Mr. TAVENNER. In what countries did you travel under the passport that was issued on that application?

Mr. DEAN. I traveled to France, to Switzerland, to Austria, to Hungary, to Italy, and that is all.

Mr. TAVENNER. What was your purpose in traveling to Hungary?

Mr. DEAN. I was very curious as to what was going on in Hungary.

Mr. TAVENNER. What was it that aroused your curiosity?

Mr. DEAN. The comment in the press.

Mr. TAVENNER. Comment regarding what?

(At this point Mr. Dean conferred with Mr. Charles Dean.)

(At this point Mr. Dean conferred with Mr. Magee.)

Mr. DEAN. I think the reason is probably the same reason that Mr. Clardy made his trip abroad, and I think it is a desire to go to a foreign country. I would like to state that as long as I can remember I have wanted to travel abroad and especially to Europe.

Mr. TAVENNER. Well, to get right at the point, did you attend the Second World Youth Congress at Budapest?

Mr. DEAN. I don't recognize the name. I attended the Second World Youth Festival, I believe it was.

Mr. TAVENNER. Festival?

Mr. DEAN. Yes.

Mr. CLARDY. What was that?

Mr. DEAN. It was a youth festival of organizations all over the world that attended in Budapest.

Mr. CLARDY. It was a Communist meeting, wasn't it?

Mr. DEAN. I am not competent to give that answer that you desire in that respect. I feel that my opinion would be based on conjecture. It would have no probative value. I would not be willing to characterize it as such. There were people there from all over the world.

Mr. DOYLE. Did you go as a representative or a delegate from any organization in the United States? If you did, what group or organization?

(Representative Harold H. Velde returned to the hearing room at this point.)

Mr. DEAN. I would like to explain for the committee's information that I was graduated from law school in 1949, and that I planned on getting married, and I did so get married in March, and immediately following my marriage I took the bar examination, and as soon thereafter, I had arranged for transportation to Europe, and while in Europe I had an opportunity to go to Hungary. As you know, at that time, American citizens could not travel to Yugoslavia, but anywhere else in Europe it was perfectly legal. I had no reason to believe that subsequently at a hearing like this that I would have to account for it. I as thousands of other American citizens have done have traveled to countries all over the world.

Mr. CLARDY. Well, witness, we wouldn't ask you that question if we didn't have reason to believe that you were actually intending to visit this Communist congress as a representative of the Communist group in this country. That question would not have been addressed to you if we did not have reason to believe that that was the probable fact. Now, you are given an opportunity to say all you want about it.

(At this point Mr. Dean conferred with Mr. Charles Dean.)

Mr. DEAN. I would like to say that where it asked for countries to be visited I put down France, possibly visit to England, Spain, and Italy. I did not go to England, as much as I would have liked to. I did not go to Spain. I did go to Italy three times. Now I also went to Switzerland, which was not on my list, and I went to Austria which was not on my list. I was on this trip for 15 months. The trip to Budapest was 2 weeks. I feel that it is improper, I mean it is not right actually to have to answer these questions, but I will because I have a reputation that I want to protect, and I feel that this hearing will be very harmful to me, and therefore I answer these questions that I can.

Mr. DOYLE. May I say this, in asking you a question I assume that you knew you were going to attend the festival before you left this country, or if you didn't know it before you left, you got word while you were in travel and that you had the honor or responsibility of representing some American group because you have stated that it was a world group. It was a conference, so I am just asking you what your honor was.

(At this point Mr. Dean conferred with Mr. Magee.)

(At this point Mr. Dean conferred with Mr. Charles Dean.)

Mr. DEAN. Well, I want to explain it in this way: That I would like to have traveled to many countries. I was in France possibly 3 months, and to the best of my recollection it must have occurred in this way: That the opportunity presented itself. You know, the situation in France is quite different than it is here. I mean people feel differently about things. I mean, to my recollection the Communist Party must have got 25 percent of the vote. I mean they don't have this atmosphere, so there were advertisements all over Paris concerning this festival. Now, my funds were limited and this was an opportunity to make a trip to Hungary, and I wanted to go and my wife went with me. It was part of an extended honeymoon, and we made the trip.

Mr. CLARDY. Who financed the trip to the festival?

Mr. DEAN. We did, out of our own funds.

Mr. CLARDY. Nobody paid any portion of it at all.

Mr. DEAN. Who do you mean, sir?

Mr. CLARDY. I mean just that, did any organization, any group, any person pay any part of it?

Mr. DEAN. Absolutely not.

Mr. CLARDY. None whatever?

Mr. DEAN. None whatever.

Mr. DOYLE. Now may I ask you to come back to my original question. In attending this festival did you go as a delegate or representative or did you represent over there as a delegate or representative from any American youth or young persons' organization.

Mr. DEAN. To the best of my recollection I think that whatever country you came from, that you were characterized as an American delegate or a Swiss delegate. Now, that is as far as I can recall any characterization of delegate status.

Mr. DOYLE. I am not asking what they designated you as. I am asking you what you were representing. Were you representing some group in the United States?

Mr. DEAN. No; I was not.

Mr. DOYLE. You weren't sent as a delegate of any group of the United States?

Mr. DEAN. Not to the best of my recollection; I was not.

Mr. DOYLE. You certainly would remember that wonderful festival over there and whether or not you went as a delegate.

Mr. DEAN. Well, I primarily wanted to go to Hungary, and I don't recall—I went to an organization in Paris—to the best of my recollection, that was advertised, and I think that I may have corresponded with the people they told me to go to qualify, and I think I may have done that, but I have no independent recollection as to——

Mr. DOYLE. Who did they tell you to correspond with in the United States in order to qualify, and who did you correspond with in the United States in order to qualify?

Mr. DEAN. I do not recall.

Mr. DOYLE. You don't?

Mr. DEAN. I do not.

Mr. DOYLE. How many years ago was that?

Mr. DEAN. That must have been 5 years ago.

Mr. DOYLE. You had just been married and taken her abroad to a festival and you don't remember how you got there?

Mr. DEAN. I remember very well how I went. I don't recall the details of all the arrangements, sir.

Mr. DOYLE. I withdraw that last part, Mr. Chairman. I just can't conceive of a young man of your brilliancy not remembering who you corresponded with in the United States 5 years ago in order to be an official delegate to that conference.

(At this point Mr. Dean conferred with Mr. Magee and Mr. Charles Dean.)

Mr. DOYLE. See if you can't scratch your memory a little bit and help us out on that, please.

Mr. DEAN. I want to state that I am answering these questions as fully and fairly and as honestly as I can. Now, when I say that I do not recollect, that is a fact, and I do not recollect. You see, I did not attach the terrible significance to my deeds that you seem to attach.

Mr. DOYLE. Well, it so happens that we have knowledge of the fact that certain youth festivals and conferences over there about those years were the direct fountainhead of pretty active young Communist activity in the United States, so our question was not impertinent. It is very important, because you were present right at that fountainhead.

(At this point Mr. Dean conferred with Mr. Charles Dean.)

Mr. CLARDY. Proceed, Mr. Tavenner.

Mr. TAVENNER. Did you address your letter to the city of Detroit?

Mr. DEAN. What was that, sir?

Mr. TAVENNER. I say did you address the letter to which you referred to the city of Detroit?

Mr. DEAN. What letter are you referring to?

Mr. TAVENNER. The letter that you referred to in regard to your appointment as a delegate.

Mr. DEAN. Well, I have never made the statement that I was appointed a delegate. I said that the people who went referred to each other as delegates from the country from which they came.

Mr. CLARDY. You said you had to qualify, and in order to qualify to get in, you had written a letter to someone.

Mr. DEAN. I said that I may have, that I may have written a letter. I do not recall. I do not have an independent recollection.

Mr. CLARDY. Well, do you recall that you couldn't get into the festival unless you did qualify, as you term it?

Mr. DEAN. My recollection, as near as I can remember, is that the people who attended the festival applied for visas or passports in the country of their origin and that I was in France at the time, and to the best of my recollection I had to make no arrangements other than apply for a Hungarian visa at the Hungarian consulate in Paris. Now

as to the possibility that I may have corresponded with someone, that is possible, but I do not recall it.

Mr. CLARDY. Proceed, Mr. Tavenner.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. DEAN. That question is similar to the ones that I answered concerning the student organizations at the University of Michigan, and I feel that in view of the many Smith Act convictions, that a person, whether he has been a member or not, would be very unwise to answer the question for fear that he may be subjected to an unwarranted prosecution.

Mr. TAVENNER. Have you been a member of the Communist Party at any time in the past?

Mr. DEAN. And I give the same answer to that question that I have given to earlier questions.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. CLARDY. Do either of you gentlemen have any additional questions?

Mr. VELDE. No questions.

Mr. CLARDY. Very well.

Mr. DOYLE. Just a moment.

Mr. CLARDY. I beg your pardon. I thought you said no questions. I am getting a little bit hasty here.

Mr. DOYLE. I know you were in the room here when I was questioning Max Dean just ahead of you.

Mr. DEAN. I am Max Dean, sir.

Mr. DOYLE. I beg your pardon with Mr. Leitson. I think you were here and heard my discussion with him. Did you hear that, my discussion with him?

Mr. DEAN. Yes; I did, sir.

Mr. DOYLE. I think I will not take time, Mr. Chairman, with this young lawyer in the same manner.

(At this point Mr. Dean conferred with Mr. Wistrand.)

Mr. DOYLE. If you will pay attention to me for a minute, I will appreciate it, but if you want to consult with counsel, go ahead, and when you are through listen to me for just 1 minute, will you?

Mr. DEAN. All right, sir.

(At this point Mr. Dean conferred with Mr. Charles Dean.)

Mr. CLARDY. Proceed, Mr. Doyle.

Mr. DOYLE. In view of the fact that you heard my extemporaneous remarks to Mr. Leitson, I will not take the time of the committee or of distinguished counsel to repeat them, excepting may I urge you, young man, as a member of the bar, and I am the same, as you know, that if you have no knowledge of the fact that the American Communist Party, the underground corps, is today advocating the forceful and violent overthrow of our form of government as a result of those 11 or 12 jury case convictions in Federal court in the last 2 years in our country. If you don't think that is significant enough, in your professional and private life, if that doesn't jeopardize in your mind our country sufficiently to make you get out and vigorously oppose the philosophy of the American Communist Party, then I don't understand what in God's name your oath as a member of the bar means. I am saying that very earnestly and very sincerely to you. I am not criticizing you, believe me, but I am saying to you as an elder American

citizen, as a Member of Congress, as a member of the American bar and State bar.

(Representative Harold H. Velde left the hearing room at this point.)

Mr. DOYLE. I am on the State bar legislative committee of the State Bar of California right now and have been for several years, even though I have been in Washington 8 years, I want to urge you to put yourself in the position, as promptly as you can, where you are known as a leader against the Communist conspiracy. One thing more. We have frequent cases where young men your age and young ladies your age come before this committee and frankly say, sure, I was a member of the Communist Party back in 1947, and 1948, sure I was a member of the Communist cell at the University of Michigan or Pennsylvania or Chicago or Harvard or some place else, yes, I was studying the philosophy of Karl Marx. I was interested as a student in philosophy, social sciences, but I got my belly full when I saw what it resulted in, and I am here to help the United States Congress clean up on them. Now, that is the position I hope that the young people of America will get into that have been temporarily misguided and misled by the Communist philosophy. I am not trying to lecture you personally, sir. I am just speaking out of the heart and mind. You happen to be in the witness chair.

Mr. DEAN. Well, Mr. Doyle, may I say this: That I have never advocated the overthrow of this Government by force and violence.

Mr. DOYLE. I feel that is true, sir, but let me be equally frank with you. I feel you have been so darned close to some of those that have, see, and that still do, sir. If you aren't careful, some of that mud and slime and treason will rub off on you.

Mr. DEAN. I wanted to add that if I ever have any knowledge of anyone who does advocate force and violence, that I will acquaint the proper authorities.

Mr. CLARDY. Well, if you happen to have any relationship whatsoever to the Communist Party, you must know that that group advocates precisely what Congressman Doyle is talking about. Don't kid yourself into thinking that you can be a member or that you can associate with it and not go along with that philosophy, because that is the heart and tenor. Witness dismissed. Call your next witness.

Mr. TAVENNER. Mr. Martin Trachtenberg.

Mr. CLARDY. Raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. TRACHTENBERG. I do.

Mr. CLARDY. Be seated. Counsel will identify himself.

Mr. PROBE. My name is Bernard Probe, office of the National Bank Building, Detroit.

TESTIMONY OF MARTIN TRACHTENBERG, ACCOMPANIED BY HIS COUNSEL, BERNARD PROBE

Mr. TAVENNER. What is your name, please, sir?

Mr. TRACHTENBERG. Martin Trachtenberg.

Mr. TAVENNER. Will you spell your name, please?

Mr. TRACHTENBERG. T-r-a-c-h-t-e-n-b-e-r-g, M-a-r-t-i-n.

Mr. TAVENNER. What relation are you, if any, to Alexander Trachtenberg?

Mr. TRACHTENBERG. Will you identify that person, please?

Mr. CLARDY. Are you related to anyone by the name of Alexander Trachtenberg?

(At this point Mr. Trachtenberg conferred with Mr. Probe.)

Mr. TRACHTENBERG. You will have to make a more definite relationship there. I have relatives throughout the country. I may be fatally related, although I am not sure, so I wish you would make a more definite relationship, please.

Mr. CLARDY. We are having you establish that, Witness. Proceed, Mr. Tavenner.

Mr. TAVENNER. The Alexander Trachtenberg to whom you refer has been a member of the national committee of the Communist Party in the United States.

Mr. TRACHTENBERG. Would you please make a definite relationship of this person to me so I can know what relationship you are talking about?

Mr. TAVENNER. I think you are in a better position to know relationship than I am. I have identified the individual, and I am asking you to state now whether or not there is any relationship between you and him?

Mr. TRACHTENBERG. The reason I am raising these questions is that certain General Motors foremen have been injecting into the plant that this man is my father. My father has been dead for 10 years. Therefore, who knows what stoolpigeon you may get up here to testify that he is some distant relationship to me, so I wish you would make a more definite relationship so I can answer this question effectively.

Mr. TAVENNER. I suggest, Mr. Chairman, you direct the witness to answer.

Mr. CLARDY. Yes; I direct that you answer that question.

(At this point Mr. Trachtenberg conferred with Mr. Probe.)

Mr. TRACHTENBERG. I would like to refuse to answer that question on the following grounds: First, I feel that——

(At this point Mr. Trachtenberg conferred with Mr. Probe.)

Mr. TRACHTENBERG. I would like to refuse that question on the following ground. We may as well get this straight right now. I will not answer any questions relating to any individuals, organizations or so forth because I in turn feel I cannot answer any questions on the following grounds——

Mr. CLARDY. May we pause just a moment. That and so forth covers every question that could possibly be asked, so are you saying you are not going to answer any more questions of the committee?

Mr. TRACHTENBERG. I am giving my reasons why I cannot answer this question, not any more questions.

Mr. CLARDY. Well, you made a very broad statement that it included anything including the time of day and I want to see if you are really meaning it that way or if you are just being facetious with us.

Mr. TRACHTENBERG. No, this committee throws around a lot of broad statements. I think you could excuse me one.

Mr. CLARDY. Very well. Give your reasons.

Mr. TRACHTENBERG. I have here the articles of the Bill of Rights, first 10 amendments, and you gentlemen have stated that you are mem-

bers of the bar, a couple of times today, so I am sure that you are familiar with these.

Mr. CLARDY. I think we can take that for granted.

Mr. TRACHTENBERG. Article 1—well sometimes I can't the way you abuse the privileges.

Mr. CLARDY. You don't have to read them. You are invoking all of the 10 articles, are you?

Mr. TRACHTENBERG. Please don't put words in my mouth. Is this my hearing or is it yours?

Mr. CLARDY. Well, I am conducting it, as you may know.

Mr. TRACHTENBERG. This is my hearing.

Mr. CLARDY. Listen to me, please. Are you invoking all 10 of the amendments?

Mr. TRACHTENBERG. I am invoking all 10 of the amendments, the entire Constitution, which you men are disavowing right here in this hearing room, and anything else that the American people feel that you people are throwing into the wind.

Mr. DOYLE. Just a minute. Just a minute, please. You can't sit there before a committee that I am on and tell me that I am disavowing the United States Constitution.

(At this point Mr. Trachtenberg conferred with Mr. Probe.)

Mr. DOYLE. Without me stopping you because it is absolutely false. It is insulting, and you know it.

Mr. CLARDY. Of course it was intended that way, but my hide is getting pretty tough. I have had so many of those barbs. Yours ought to be tougher after all the years you have been on it here.

Mr. TAVENNER. When and where were you born?

Mr. TRACHTENBERG. Jersey City, N. J., 1923, June 3.

Mr. TAVENNER. Where do you now reside?

Mr. TRACHTENBERG. 1805 West Pasadena.

Mr. TAVENNER. Pasadena?

Mr. TRACHTENBERG. Pasadena, not California, Mr. Doyle, Flint. By the way, how is California, far away?

Mr. DOYLE. Beautiful, best State in the Union.

Mr. CLARDY. That statement is out of order, Mr. Doyle.

Mr. DOYLE. Don't strike it from the record.

Mr. TRACHTENBERG. Just a little friendly conversation.

Mr. CLARDY. I will say hurray for Michigan right now. Proceed, Mr. Tavenner.

Mr. TAVENNER. What is your occupation?

Mr. TRACHTENBERG. I am an employee of Buick Motor Co.

Mr. TAVENNER. How long have you been employed by Buick Motor Co.?

Mr. TRACHTENBERG. Approximately five years.

Mr. TAVENNER. When did you begin your employment? That would be in 1949, I assume, but what month during the year, or was it in 1948?

Mr. TRACHTENBERG. That was in May 1949.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. TRACHTENBERG. Well, before this committee I feel that this is a dangerous statement because I understand that you know that Congressman Velde made the statement that the basis of all communism

and socialism influences is the education of the people. When he voted against mobile library service for the rural areas, so I feel that you fellows are really going for——

Mr. CLARDY. Witness, witness, you know that that has no relationship whatever to the question. You are being deliberately impertinent. You know it; we know it. The audience knows it. See if you can't be a gentleman from here on out. Will you proceed, Mr. Tavenner. If it proves difficult for you, maybe we can help you.

Mr. TAVENNER. Tell the committee, please, what your——

Mr. TRACHTENBERG. Chairman——

Mr. CLARDY. Never mind, wait until the question is submitted and we will ask you to answer it.

Mr. TRACHTENBERG. Well, I would say——

Mr. CLARDY. I enjoin you to silence. We are going to proceed with the question. Now ask the question, Mr. Tavenner.

Mr. TAVENNER. Tell the committee, please, what your educational training has been.

Mr. TRACHTENBERG. I repeat I would normally relate this education but under the circumstances, Velde will incriminate me.

Mr. CLARDY. If there is any incrimination, you will have to do it yourself. Now, are you refusing to answer?

Mr. TRACHTENBERG. Are you making an inflammatory statement, chairman?

Mr. CLARDY. Are you refusing to answer?

(At this point Mr. Trachtenberg conferred with Mr. Probe.)

Mr. TRACHTENBERG. I would like to consult counsel.

Mr. CLARDY. I think you should.

(At this point Mr. Trachtenberg conferred with Mr. Probe.)

Mr. TRACHTENBERG. I have had approximately 2 years of college.

Mr. TAVENNER. Where?

(At this point Mr. Trachtenberg conferred with Mr. Probe.)

Mr. TRACHTENBERG. Is this question pertinent to this inquiry?

Mr. CLARDY. It would not have been asked had it not been so deemed. You are directed to answer it.

Mr. TRACHTENBERG. Then I use the privileges accorded me under the Bill of Rights and the Constitution of the United States to refuse to answer this question which you asked.

Mr. CLARDY. Proceed, Mr. Tavenner.

Mr. TAVENNER. By that you mean it might tend to incriminate you to state where you received your 2 years of college work.

Mr. TRACHTENBERG. Now, Mr. ——

Mr. TAVENNER. Or approximately 2 years.

Mr. TRACHTENBERG. Mr. Tavenner, you fellows are lawyers. You know that Bill of Rights was written to defend the innocent. What are you talking about incrimination. If you guys got anything against me, get me up before a court of legal procedure and press the charges where I can cross-examine my accusers. What is all this business about incriminating me? I am innocent and this Bill of Rights is defending me against guys who plan to take my rights away, and so I am refusing to answer that question on the entire Bill of Rights especially the fifth amendment and the Constitution of the United States.

Mr. DOYLE. May I ask you, please, a pointblank question. Do I understand that you are refusing to answer this question of where

you went to college for 2 years on the grounds that it might incriminate you in some way? I just want to make it clear, because I have never heard of such——

(At this point Mr. Trachtenberg conferred with Mr. Probe.)

Mr. DOYLE. Never heard of such a foolish—I don't mean foolish.

Mr. CLARDY. Absurd.

Mr. TRACHTENBERG. Absurd—I would like to answer that question, Congressman.

Mr. DOYLE. Yes.

Mr. TRACHTENBERG. I asked the question if this question was pertinent to the inquiry, and you said yes, and you meant your investigating subversive activities so obviously you got some kind of line that some stoolpigeon will back it up so therefore I refuse to answer the question. It is a simple thing. I am a straight guy. I am just trying to get right to the point.

Mr. CLARDY. Witness, the only way that you could in any way be incriminated would be for you to now acknowledge that you attended some school dedicated to instruction in criminal activities. Now, if there is any respectable institution in the United States that you attended for a couple of year, you can't possibly incriminate yourself by telling us so, and no implication can be drawn from it.

Mr. TRACHTENBERG. I am——

Mr. CLARDY. Now, will you tell us—you are directed: Will you tell us the identity of the school you attended?

(At this point Mr. Trachtenberg conferred with Mr. Probe.)

Mr. TRACHTENBERG. I stated in the statement that I put out to the workers in the shop that I will not cooperate with this committee in any way because I feel it is destroying my rights as an American citizen. Therefore I will not answer that question under the privileges that I have previously stated.

Mr. CLARDY. All right. Pass on, Mr. Tavenner.

Mr. TAVENNER. Did you serve in the Armed Forces of the United States during the period of the war?

Mr. TRACHTENBERG. Yes, I did.

Mr. TAVENNER. During what years?

Mr. TRACHTENBERG. 1943 to 1946.

Mr. TAVENNER. After 1946 did you attend school at the University of New Mexico?

Mr. TRACHTENBERG. Mr. Tavenner, are these questions directed in confusing me or enlightening the inquest here. All I said, that I am not going to name any names of anything, any organizations or any people. I will not cooperate with this committee in destroying the Bill of Rights and the Constitution of the United States.

Mr. TAVENNER. Did you attend college at any time prior to your going into the armed services in 1943?

Mr. TRACHTENBERG. I refuse to answer that question on the same grounds that I have stated before.

Mr. DOYLE. Did I understand, counsel, the witness to say, that this is an inquest. I thought that only referred to where there was a death. You are not dead. You are very much alive, I take it.

Mr. TRACHTENBERG. I am sorry, Congressman. I cut off part of it. I meant inquisition.

Mr. DOYLE. I see.

Mr. CLARDY. Well, that is a familiar Communist word.

Mr. DOYLE. At least that is between live people.

Mr. TRACHTENBERG. Shall we have a repartee here or is it only limited to you?

Mr. CLARDY. You seem to be doing pretty well.

Mr. TRACHTENBERG. You direct questions to me and I will try to answer them to the best of my ability but I wish you wouldn't get in your publicity points.

Mr. CLARDY. That is for your instruction. Now will you ask him the question, Mr. Tavenner?

Mr. TAVENNER. When did you first come to Flint?

Mr. TRACHTENBERG. In the early part of 1949. That was not after August by the way. There seems to be an attempt for a conspiracy here, lining up every New Yorker that ever come to Flint at a certain point, so——

Mr. TAVENNER. Where were you living before you came to Flint in the early part of 1949?

Mr. TRACHTENBERG. I will not give my dates or places—for the reasons I have stated before.

Mr. TAVENNER. You mentioned New York, were you living in New York?

Mr. TRACHTENBERG. I will not give any locations, names, places, or people, persons, organizations, or anything to abet this committee in its attempt to destroy the labor unions of the United States and the democracies that the people have now.

Mr. DOYLE. Now just a minute, Mr. Counsel. I want to counter your statement right there because it is——

Mr. TRACHTENBERG. Are you asking me a question?

Mr. DOYLE. I am not asking you a question. I am telling you something. You have made a statement just there which is not founded on fact, and I believe you know it is not founded on fact. Neither this committee nor I as a member of it certainly have any intention directly or indirectly of harming organized labor of the United States. You have heard me say in this room that I have always received their endorsement, AFL and the right wing of the CIO. The only people in organized labor that don't like me nor this committee, generally speaking, are those who are there to take over control if they can for the Communist conspiracy, and those are the unpatriotic American citizens in labor unions that we are after, the labor unions that don't want them.

Mr. TRACHTENBERG. Mr. Doyle, will you permit me the courtesy of answering that?

Mr. CLARDY. No, witness, you will not be given any more time than your conduct deserves, and it doesn't deserve that.

(At this point Mr. Trachtenberg conferred with Mr. Probe.)

Mr. CLARDY. Mr. Tavenner, will you proceed with further questions. Let us go on and finish this as quickly as we can.

Mr. TAVENNER. Had you arranged for employment at the Buick plant prior to your arriving in Flint?

Mr. TRACHTENBERG. Mr. Tavenner, if you have ever worked for a living—I am not implying anything here—but you will understand, and previously I have worked all over the country on naval bases and ferry command bases. My patriotism wasn't questioned but if

you have ever worked and you have a wife and a child coming up you know that when you go look for a job you go to the place you hear that they are hiring. In 1949 and anybody who was here will testify to that, except maybe Mr. Clardy wasn't interested in unemployment at that time, either, you will hear that Flint was the only city in Michigan at that time that was employing people, so I came to Flint.

Mr. TAVENNER. Purely to get employment?

Mr. TRACHTENBERG. Well, what would I come to Flint for. What are you implying?

Mr. TAVENNER. Well, I want to ask you whether or not you came here as part of any plan on the part of the Communist Party to infiltrate the unions in Buick, in the Buick plant?

Mr. TRACHTENBERG. Now——

Mr. TAVENNER. That is to be specific.

Mr. TRACHTENBERG. Mr. Tavenner, counsel, when groups go to destroy labor unions they don't come out and say they are going to destroy the labor unions. When Hitler wanted to take over Germany he hit at Communists and the Jews and knocked out labor unions and set up his little dictatorship, stoolpigeons and Reichstag fire and——

Mr. CLARDY. That has gone far enough.

Mr. TRACHTENBERG. Is this hitting too close, Congressman?

Mr. CLARDY. That has gone far enough. You will subside sir; no more Communist harangue from the witness stand. Now come back and answer the question.

Mr. TRACHTENBERG. I would just like——

Mr. CLARDY. Your imprudence is beyond belief if I hadn't witnessed it, now you will you confine yourself to answering the questions directly?

Mr. TRACHTENBERG. I will answer the question, but I would just like to say, you are putting words into my mouth and I protest this entire hearing.

Mr. CLARDY. I am not putting words into your mouth and I am not trying to put anything into your head. I am telling you to answer directly.

Mr. TRACHTENBERG. You are not letting me get my views across, I am sorry.

Mr. CLARDY. I am not going to let you get Communist views across any further today. Now come down to earth. Answer the question.

(At this point Mr. Trachtenberg conferred with Mr. Probe.)

Mr. CLARDY. If you refuse to do so, we are going to pass on, but this tirade of yours has gone too far.

Mr. TRACHTENBERG. If this committee here considers it a plan to support a family and get work and get food, then I guess I came in on this sort of a plan, you see, because I had a family coming up.

Mr. CLARDY. Pass on, Mr. Tavenner. I will consider that a refusal to answer your question. I have a question, Mr. Tavenner.

Mr. TAVENNER. All right, sir.

Mr. CLARDY. I note you came to town at approximately the same time, within a matter of weeks, when the several other colonizers came in from New York. Were you acquainted with the others who came in at or about that same time?

Mr. TRACHTENBERG. I notice you come to town just before November 11, election day. You didn't come during the tornado.

Mr. CLARDY. Come back and answer the question.

Mr. TRACHTENBERG. If you want me to answer the question, wait a second, will you. I told you before, Congressman, that I will not answer any questions on any individuals, any organizations. I will not be a part in this—book burning and constitutional burning of our rights and liberties.

Mr. CLARDY. You are refusing to answer then?

Mr. TRACHTENBERG. I am refusing to answer the question on the grounds previously stated.

Mr. CLARDY. Very well. Mr. Tavenner, proceed.

Mr. TAVENNER. Were you at any time the press chairman of the Flint section of the Communist Party?

Mr. TRACHTENBERG. I would like to say that that is a loaded question. Have you stopped beating your wife? Would you answer that?

Mr. CLARDY. Witness, answer the question.

Mr. TRACHTENBERG. You want me to answer the question.

(At this point Mr. Trachtenberg conferred with Mr. Probe.)

Mr. CLARDY. I don't want to have to caution the audience again. No demonstrations, either of approval or disapproval. The hour is late. I am quite sure that tempers are getting short. That may excuse some of the impertinence of the witness, but I can't permit the hearing room in which the United States Congress is sitting to become disorderly; the hearing to be conducted in any way other than orderly. Please desist. I don't want to have to clear the hearing room.

Mr. TRACHTENBERG. As I answered this question, I would like to make a point——

Mr. CLARDY. You answer the question.

Mr. TRACHTENBERG. Yes, I will make a point of Representative Doyle. He was insulted——

Mr. CLARDY. Witness, answer the question.

Mr. TRACHTENBERG. Well, all right. I would just like to say that—O. K., I am answering it.

Mr. CLARDY. Well, answer it.

Mr. TRACHTENBERG. I would like to say that you are violating the first amendment when you are asking me to give any identity with a group or an assembly or a person and thereby Mr. Doyle was committed because I accused him of violating the Constitution of the United States and the Bill of Rights. I think he should recognize this, that you are violating my beliefs and my privileges here on the statements of stool pigeons.

Mr. DOYLE. May I say——

Mr. CLARDY. Pardon, Mr. Doyle. Come back to ground again. Let him answer the question.

Mr. TRACHTENBERG. I refuse to answer that question that asks me of any identity with persons, organizations, or—organizations, on the privileges stated before.

Mr. CLARDY. Mr. Tavenner, do you have any great list of questions left?

Mr. TAVENNER. Not a great list, but I do have 1 or 2 I would like to ask.

Mr. CLARDY. Just ask the 1 or 2 because I think the conduct of the witness will make it absolutely necessary for the chairman to make

a recommendation to the full committee, and I don't think it is necessary to go any further. Ask the next 1 or 2.

Mr. TAVENNER. The committee has heard testimony that in July 1950 the Communist Party cells or groups were divided up into smaller groups of four for security purposes. I want to ask you whether or not if any time after such action was taken you were the literature director for the Flint section of the Communist Party?

Mr. TRACHTENBERG. I am surprised, you have not photostats like McCarthy uses in his hearings and as you presented to the other members that testified before this committee because—you have this information.

Mr. CLARDY. Witness.

Mr. TRACHTENBERG. A stool pigeon has given you this information. I can't face this stool pigeon.

Mr. CLARDY. Witness, will you subside and answer the questions?

Mr. TRACHTENBERG. And you are accusing me. You know I am not going to answer these questions because they are inciting questions. You are using it for newspaper stuff, incite workers in the shops against me, you refuse to give me a fair hearing, and I refuse to answer this question on the grounds stated before and on the fifth amendment privilege which you are depriving—which Velde stated that he was going to attempt to deprive the American people of by taking it out of the Constitution.

Mr. CLARDY. Any more questions, Mr. Tavenner?

Mr. TAVENNER. Yes.

Did you engage in the activity of delivering Communist Party literature and information in 1952 to groups of the Communist Party that had been divided in the manner that I mentioned within the area of Flint?

Mr. TRACHTENBERG. I would just like to say that I can't answer any of these questions, and I think Mr. Doyle better beware because he is a Democrat and Clardy is identified with McCarthy; he has identified himself, the past 20 years as 20 years of communism, treason, and betrayal.

Mr. CLARDY. Witness——

Mr. TRACHTENBERG. And I warn you, Mr. Doyle—I refuse——

Mr. CLARDY. Answer the question.

Mr. TRACHTENBERG. I refuse to answer the question. I refuse to answer the question on the grounds previously stated.

Mr. DOYLE. Mr. Chairman.

Mr. CLARDY. Yes, Mr. Doyle.

(At this point Mr. Trachtenberg conferred with Mr. Probe.)

Mr. DOYLE. In view of the man saying he warns me because I am a Democrat, when you are through visiting with your counsel a minute, I would like to answer your threat, of a sort. What did you mean when you said you were warning me, I am a Democrat?

Mr. TRACHTENBERG. Could I answer that?

Mr. DOYLE. Yes, I want you to.

Mr. TRACHTENBERG. Well, fine. I would like to say that McCarthy has come out and made an open statement that the Democratic Party for the past 20 years has been a party of communism, betrayal, and treason. Clardy over there has made the statement that he is McCarthy's kind of a S. O. B. Now I agree with that statement, and I

say to you beware because today it is me and tomorrow it may be you sitting over here.

Mr. DOYLE. Now just let me say this, please. The President of the United States has frankly declared more than once recently that he didn't agree with a certain Senator that you have named. Senator Knowland, the Republican leader of the United States Senate has so declared, and the Republican leadership in the House of Representatives has so declared. Now if you were referring to me as a Democrat, as being afraid of something as a result of my working on this committee diligently and conscientiously, if that is what you have in your mind, may I say to you that as an American citizen, as long as I am a member of this committee, I am going to fight the sort of influences that I find are undermining deliberately my constitutional form of government, and the American Communist Party is—I am not afraid of your warning, sir, either here or any place else, and I want you and your ilk to understand it. I want you to thoroughly understand it. I resent very much your telling me, warning me because I am a Democrat. I am an American Congressman first and a Democrat second.

Mr. TRACHTENBERG. I see everybody tried, true and condemned, and the rest of it. Me and my ilk. You haven't heard me. You haven't even attempted to hear me.

Mr. DOYLE. That language I condemn.

Mr. TRACHTENBERG. You know you condemn any language. I condemn this committee which is perpetrating a hoax on the American people.

Mr. CLARDY. Mr. Tavenner, do you have any further questions?

Mr. TAVENNER. Are you now a member of the Communist Party?

(At this point Mr. Trachtenberg conferred with Mr. Probe.)

Mr. TRACHTENBERG. I refuse to answer that question on the grounds previously stated, that I will not identify any individuals, organizations, or the following, and I utilize the fifth amendment privilege which is guaranteed to protect the innocent from such inquisition.

Mr. TAVENNER. Were you a member of the Communist Party before you sought employment at the Buick plant?

Mr. TRACHTENBERG. My record is open——

Mr. TAVENNER. In 1949?

Mr. TRACHTENBERG. I wish Mr. Clardy would make his record open, the journal could——

Mr. CLARDY. Answer the question directly.

Mr. TRACHTENBERG. I know. I refuse to answer this question on the grounds previously stated, that I will not identify myself with any individuals, organizations, and will not be a stoolpigeon and carry on the purposes of this committee, and I say to this committee that if I could face my accuser as the UAW article said, and Mr. Reuther stated which you left out conveniently, if I could face my accuser, if I could have due process of law, then I will not utilize the fifth amendment and will put the records on the board and see who the American will reject and accept.

Mr. DOYLE. May I just make this remark in this connection, Mr. Chairman, the gentleman refers to his wish that he might have a chance to cross-examine his accuser. May I say to you this: I am one of the Members of Congress that also wishes there could be some practical way whereby witnesses named before this committee could have a

chance within reason to face the people who charge them. But so far we haven't been able to work that out. I know of no practical way that this committee can function, may I say, where there can be any practical right of cross-examination. If I could find any such way, I would be for it 100 percent.

Mr. TRACHTENBERG. We have the Constitution of the United States to guarantee that way against this inquisition.

Mr. DOYLE. Just in closing—but this committee is not finding anyone guilty of anything.

Mr. TRACHTENBERG. My wife and me and my children have been slandered in the paper, what do you mean, you are not finding me guilty?

Mr. CLARDY. Witness.

Mr. TRACHTENBERG. The workers in the shop, General Motors goons, are instigating stuff against me today, and you are telling me that you wish you could protect me. What kind of stuff is this? I am an American citizen. I fought for my country, and I represent it. I am a citizen here, and you are slandering my name all over the place, depriving me of constitutional rights.

Mr. CLARDY. Am I going to have to call an officer to make you subside? I may have to.

Mr. TRACHTENBERG. You may.

Mr. CLARDY. I am going to dismiss you, but before I dismiss you, I am going to promise that you probably are going to get your day in court. You are probably going to get the opportunity that you crave, because I shall recommend that the Congress of the United States call upon the Attorney General to proceed against you for contempt against the Congress of the United States—the boisterous, intemperate conduct that has taken place here since you have been on the stand. I am afraid that some of these good newspapermen and others may find themselves called as witnesses at the proper time to demonstrate that the cold record is really only half of the story, so your desire to have a day in court may be granted sooner than you desire.

Mr. TRACHTENBERG. I would go gladly to jail to see the American people with your record——

Mr. CLARDY. That is all. Witness dismissed.

Mr. TRACHTENBERG. I would go to jail because my grandmother was burned in a Hitler prison——

Mr. CLARDY. Will the officers remove the witness from the room.

Now, Mr. Tavenner, I think we have gone a little later than usual. I want to advise all of the witnesses who were subpenaed for us today, those who were subpenaed for tomorrow, to report at 9:30 tomorrow morning in this hearing room. Hearing adjourned until that time.

(Whereupon, at 5:22 p. m., the hearing was recessed until 9:30 a. m. Friday, May 14, 1954.)

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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE STATE OF MICHIGAN—Part 10

(FLINT)

HEARING

BEFORE THE

COMMITTEE ON UN-AMERICAN ACTIVITIES

HOUSE OF REPRESENTATIVES

EIGHTY-THIRD CONGRESS

SECOND SESSION

MAY 14, 1954

Printed for the use of the Committee on Un-American Activities

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Public Law 601, 79th Congress

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

Rule X

STANDING COMMITTEES

* * * * * * *

17. Committee on Un-American Activities, to consist of nine members.

Rule XI

POWERS AND DUTIES OF COMMITTEES

* * * * * * *

17. Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and object of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

RULES ADOPTED BY THE 83D CONGRESS

House Resolution 5, January 3, 1953

* * * * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress, the following standing committees:

* * * * * * *

(q) Committee on Un-American Activities, to consist of nine members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * * * *

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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE STATE OF MICHIGAN—Part 10

(Flint)

FRIDAY, MAY 14, 1954

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES,
Flint, Mich.

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 9:32 a. m., in the Supervisors Room, Courthouse, Hon. Kit Clardy (acting chairman) presiding.

Committee members present: Representative Harold H. Velde (committee chairman), Kit Clardy (acting chairman), and Clyde Doyle.

Staff members present: Frank S. Tavenner, Jr., counsel; Donald T. Appell and W. Jackson Jones, investigators; and Mrs. Juliette P. Joray, acting clerk.

Mr. CLARDY. The committee will be in session. Before we call the first witness, I have a communication to read into the record and to make public. The communication is addressed to us and says,

> Name similarity is causing me some embarrassment. My name was Shirley Foster, the same as the Communist named by Mrs. Churchill. I was married 6 weeks ago, and my name now is Shirley Perkins, but the wedding was so recent that most people remember me as Shirley Foster. Would you please announce at the hearing that Shirley Foster Perkins, 548 West Eldridge Road, is not the Shirley Foster who was identified as a Communist.

I trust that with that announcement there will be no further confusion, and I repeat what the committee has said in the other sessions, if there is any name similarity that creates any confusion of this kind or if any of those who have been identified by any of the witnesses in the proceedings have any desire to be heard, they have only to communicate that to the committee.

Call your first witness, Mr. Tavenner.

Mr. TAVENNER. Mr. Herbert Donnelly, will you come forward, please, sir?

Mr. CLARDY. You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DONNELLY. I do.

Mr. CLARDY. Be seated. I see you are not accompanied by counsel.

Mr. DONNELLY. No, sir.

Mr. CLARDY. Of course you have that privilege. Is it your desire to proceed without counsel?

Mr. DONNELLY. Yes, sir.

Mr. CLARDY. Very well.
Mr. TAVENNER. What is your name, please?

TESTIMONY OF HERBERT H. DONNELLY

Mr. DONNELLY. Herbert H. Donnelly.
Mr. TAVENNER. Will you spell your last name?
Mr. DONNELLY. D-o-n-n-e-l-l-y.
Mr. TAVENNER. When and where were you born, Mr. Donnelly?
Mr. DONNELLY. Bridgeport, Mich., April 28, 1909.
Mr. TAVENNER. Where do you now reside?
Mr. DONNELLY. 1620 Church, Flint, Mich.
Mr. TAVENNER. What is your occupation?
Mr. DONNELLY. I am a factory worker.
Mr. TAVENNER. In what factory do you work?
Mr. DONNELLY. Buick Motor Car Co.
Mr. TAVENNER. How long have you been an employee of the Buick factory?
Mr. DONNELLY. I am on my 19th year.
Mr. TAVENNER. Will you tell the committee, please, what your educational training has been?
Mr. DONNELLY. Well, I got as far as the seventh grade.
Mr. TAVENNER. Mr. Donnelly, are you now a member of the Communist Party?
Mr. DONNELLY. I am not.
Mr. TAVENNER. Have you ever been a member of the Communist Party?
Mr. DONNELLY. I have.
Mr. TAVENNER. Over what period of time were you a member of the Communist Party?
Mr. DONNELLY. Well, I am not too sure about the date, but it was sometime in 1946 that I first joined the Communist Party.
Mr. TAVENNER. When did you get out of the Communist Party?
Mr. DONNELLY. I severed all connections in 1951.
Mr. TAVENNER. In 1951. Prior to the time that you made your final break and severed all connections with the Communist Party, had you made an effort to make a break from the Communist Party at an earlier date?
Mr. DONNELLY. Yes; sometime the previous summer I bought a lunch wagon and moved to Fenton, and I was making the break then.
Mr. TAVENNER. Did you, prior to making your final break with the Communist Party, consult persons on the outside as to the method or manner by which you might be able to free yourself from entanglement in the Communist Party?
Mr. DONNELLY. No, sir.
Mr. TAVENNER. After you had made your final break from the Communist Party did you confer fully with the Federal Bureau of Investigation and give them the cooperation which they requested?
Mr. DONNELLY. Yes.
Mr. TAVENNER. Have you had conferences with members of the investigative staff of this committee?
Mr. DONNELLY. I have.
Mr. TAVENNER. And have you complied with their requests in cooperating with this committee?

Mr. DONNELLY. I have.

Mr. TAVENNER. Have you done everything within your power to make your severance with the Communist Party full and complete?

Mr. DONNELLY. I have.

Mr. TAVENNER. You say you became a member approximately in 1946; that is, a member of the Communist Party?

Mr. DONNELLY. Yes, sir.

Mr. TAVENNER. Will you tell the committee, please, the circumstances under which you became a member?

Do you recall who approached you first about becoming a member of the Communist Party?

Mr. DONNELLY. Yes.

Mr. TAVENNER. Who was that?

Mr. DONNELLY. Robert O'Dowd.

Mr. CLARDY. Spell it, please.

Mr. DONNELLY. The last name?

Mr. CLARDY. Yes, please.

Mr. DONNELLY. Capital O'-D-o-w-d.

Mr. CLARDY. Thank you.

Mr. TAVENNER. Will you tell the committee, please, just how that occurred?

Mr. DONNELLY. Well, I think it was after 1945–46. It started in 1945 and ran over to 1946, and we came back into the shop, and I was talking to Bob, and he asked me why I didn't join the party, and I asked him what I had to do to join, and he handed me an application. I filled it out, and in a matter of 2 or 3 days he came around and said they was having a meeting, and that was it.

Mr. TAVENNER. Will you raise your voice a little more so that we can understand more clearly?

Mr. DONNELLY. Yes, sir.

Mr. TAVENNER. When you signed in the manner that you have described and became a member of the Communist Party, were you invited to a meeting?

Mr. DONNELLY. I was.

Mr. TAVENNER. Do you recall where that meeting was held?

Mr. DONNELLY. The first meeting I attended was on 12th Street.

Mr. TAVENNER. In Flint?

Mr. DONNELLY. Yes; at Joe Brant's.

Mr. TAVENNER. What position did Joe Brant hold in the Communist Party at that time?

Mr. DONNELLY. He was party organizer.

Mr. TAVENNER. You were employed in the Buick plant at that time, were you not?

Mr. DONNELLY. I was.

Mr. TAVENNER. Was this first meeting that you attended composed solely of persons employed at Buick, or was it a meeting of persons in the area generally?

Mr. DONNELLY. It was a meeting of the people generally. I remember distinctly that Howard Foster was there.

Mr. TAVENNER. Who?

Mr. DONNELLY. Howard Foster, and he just received his bonus from the Army or something, and he came in and give Joe Brant some money, and so I know that there was people there other than people from Buick.

Mr. TAVENNER. Can you tell the committee, please, who the other persons were or as many as you can recall, who attended this first meeting that you attended?

Mr. DONNELLY. There was Jim Widmark, Bob O'Dowd, myself, Howard Foster. It seems to me there were 2 or 3 others that I can't recall.

Mr. TAVENNER. Do you know who succeeded Joe Brant as organizer of the Communist Party in the Flint area?

Mr. DONNELLY. I do.

Mr. TAVENNER. Who was that?

Mr. DONNELLY. Jack White.

Mr. CLARDY. Repeat that.

Mr. DONNELLY. Jack White.

Mr. TAVENNER. Do you recall about when it was that Jack White took over the reins of the Communist Party in Flint?

Mr. DONNELLY. I think Jack came in sometime in 1947, if I am not mistaken.

Mr. TAVENNER. Were you very active in the Communist Party before Jack White took over?

Mr. DONNELLY. No.

Mr. TAVENNER. When did you become active?

Mr. DONNELLY. After Jack came to town.

Mr. TAVENNER. After Jack came. What was the general nature of your activity?

Mr. DONNELLY. Well, we sold papers, and I worked in the Progressive Party, and generally in the union the idea was to be activated as possible in the union, and—well, push the party ideology as far as possible.

Mr. TAVENNER. Were those the things that you were supposed to do as a Communist?

Mr. DONNELLY. That is right.

Mr. TAVENNER. Were you taught and instructed to do those things?

Mr. DONNELLY. Yes.

Mr. TAVENNER. Well, after Jack White came to town, was the organization of the Communist Party changed as far as it involved you at Buick?

Mr. DONNELLY. Well, yes, to a great extent. Jack was a trade unionist, and he was—you got to understand one thing, Joe Brant was more or less of an intellectual, and I attended some meetings at his place, and I might just as well stayed home, for all the stuff that they was talking about was so far over my head, but Jack, he had a way of breaking this stuff down, you know, so the average guy like I could understand it, and he got along with the workers a lot better than Joe did on that account. I mean, you didn't have to be an intellectual to talk with Jack.

Mr. CLARDY. You mean he took the Marxian——

Mr. DONNELLY. That is right.

Mr. CLARDY. Theories and put them in the ordinary conversational language that you and I would use, for instance, when we meet and talk on the street?

Mr. DONNELLY. That is right, that's it.

Mr. TAVENNER. Now, we begin to talk about activities of the party in connection with Communists who were employed by Buick, and I would like for you to give us the names of the principal people that

you can recall who were members of the Communist Party here in Flint.

You have mentioned some of them. I do not know whether you have mentioned all you can recall or not. I think you have mentioned Widmark, did you not?

Mr. DONNELLY. Yes.

Mr. TAVENNER. Did you know a person by the name of Tom Kelly?

Mr. DONNELLY. I did.

Mr. TAVENNER. I am not sure whether you mentioned him or not.

Mr. DONNELLY. I haven't.

Mr. TAVENNER. You have not. Do you recall how Tom Kelly was employed at that time?

Mr. DONNELLY. He was employed at the Chevrolet.

Mr. TAVENNER. At Chevrolet?

Mr. DONNELLY. Yes.

Mr. TAVENNER. So he was working in industry at that time?

Mr. DONNELLY. Yes, at that time.

Mr. TAVENNER. Will you tell the committee whether or not he was active in the work of the Communist Party?

Mr. DONNELLY. He was.

Mr. TAVENNER. Can you recall the names of any other persons?

Mr. DONNELLY. Yes, sir.

Mr. TAVENNER. Who were active prior to the centralization of interest in employees at Buick?

Mr. DONNELLY. Well, there was Blassingame.

Mr. TAVENNER. Blassingame?

Mr. DONNELLY. Barry Blassingame, yes.

Mr. TAVENNER. What was his first name?

Mr. DONNELLY. Barry.

Mr. TAVENNER. Do you know how he was employed at that time?

Mr. DONNELLY. He was employed at Buick.

Mr. TAVENNER. Do you recall the names of any others?

Mr. DONNELLY. Charles Mitchell.

Mr. TAVENNER. How was Mitchell employed?

Mr. DONNELLY. He is employed at Buick.

Mr. TAVENNER. Of course I can understand you would be more likely to have known those who were employed at Buick, because you were employed there.

Mr. DONNELLY. That is right.

Mr. TAVENNER. Do you recall any others? Now, this was before the work became centered in Buick. Do you recall having met a person by the name of Kenny?

Mr. DONNELLY. Casper Kenny, yes, sir.

Mr. TAVENNER. Was he a member of the Communist Party?

Mr. DONNELLY. He was.

Mr. TAVENNER. How was he employed?

Mr. DONNELLY. He was employed at Buick.

Mr. TAVENNER. Was he active in the work of the Communist Party?

Mr. DONNELLY. He was.

Mr. TAVENNER. Did you mention a person by the name of Foster a few moments ago?

Mr. DONNELLY. Howard Foster?

Mr. TAVENNER. Howard Foster.

Mr. DONNELLY. Yes, sir.
Mr. TAVENNNER. How was Howard Foster employed?
Mr. DONNELLY. At Chevrolet.
Mr. TAVENNER. Was he active in the work of the Communist Party?
Mr. DONNELLY. He was.
Mr. TAVENNER. Do you know his wife's name?
Mr. DONNELLY. Shirley.
Mr. TAVENNER. Was she a member of the Communist Party to your knowledge?
Mr. DONNELLY. She was.
Mr. TAVENNER. Can you tell the committee whether or not she was active in the work of the party?
Mr. DONNELLY. Yes.
Mr. TAVENNER. Very well. If you will give us the names now of any others that you can recall.
Mr. DONNELLY. Well, there was Charles Shinn.
Mr. TAVENNER. Where was he employed?
Mr. DONNELLY. Well, at that time—he wasn't employed there when I first met Charley, and I understand that later for a time he had a job at South Fisher. That was in later years.
Mr. TAVENNER. Had a job where?
Mr. DONNELLY. South Fisher, but at the time I met him he wasn't working.
Mr. TAVENNER. Was he a member of the Communist Party?
Mr. DONNELLY. He was.
Mr. TAVENNER. All right, sir. Can you recall the names of any others?
Mr. DONNELLY. George Fox.
Mr. TAVENNER. George Fox, I believe, testified or was called to the witness stand yesterday or the day before. Was he a member of the Communist Party?
Mr. DONNELLY. He was.
Mr. TAVENNER. All right, sir. Was he active in the work of the party?
Mr. DONNELLY. Yes.
Mr. TAVENNER. Are there any others whose names you can recall?
Mr. DONNELLY. Murray Borod.
Mr. TAVENNER. Murray Borod. How was he employed?
Mr. DONNELLY. At Chevrolet.
Mr. TAVENNER. Was he active in the work of the party?
Mr. DONNELLY. He was.
Mr. TAVENNER. Do you know his wife's name?
Mr. DONNELLY. Geneva.
Mr. TAVENNER. Was she a member of the Communist Party?
Mr. DONNELLY. She was.
Mr. TAVENNER. Was she active in the work of the party?
Mr. DONNELLY. Yes.
Mr. TAVENNER. Are there others that you can recall?
Mr. DONNELLY. Marvin Engel.
Mr. TAVENNER. How was he employed?
Mr. DONNELLY. Well, I wasn't too sure until I read the paper, but I understand he has been at Chevrolet.
Mr. TAVENNER. You were not certain of the nature of his employment?

Mr. DONNELLY. No, sir; I was not. I knew he was in a shop, but I didn't know which one.

Mr. TAVENNER. How do you know that he was a member of the Communist Party?

Mr. DONNELLY. I have attended meetings with him.

Mr. TAVENNER. Was he one of the so-called intellectuals?

Mr. DONNELLY. That is right.

Mr. TAVENNER. Very well. Can you give us the names of others?

Mr. DONNELLY. Jack Moscou.

Mr. TAVENNER. Let me stop at this moment. I asked you if Engel was one of the intellectuals, and you replied "Yes." Let us stop at this point and talk a little about the character of the organization of the party.

After Jack White came, was any special emphasis put upon the work of the party within industry?

Mr. DONNELLY. Well, things for a time here were pretty much at a standstill, and then there was a bunch of people——

Mr. TAVENNER. When you say things were at a standstill, what do you mean? In the Communist Party?

Mr. DONNELLY. That is right.

Mr. TAVENNER. You say about the time that Jack White came here things were at a standstill in the Communist Party?

Mr. DONNELLY. That is right.

Mr. TAVENNER. Do you know whether conditions changed?

Mr. DONNELLY. Well, about that time—well, it was some time in 1948 that the colonizers started drifting in here—that is the people, these intellectuals, as you put it, from New York State.

Mr. TAVENNER. Colonizers came in from New York State?

Mr. DONNELLY. That is right.

Mr. TAVENNER. Now, were these people known as colonizers at the time—I mean, were they called colonizers by the party?

Mr. DONNELLY. That is right; yes.

Mr. TAVENNER. That is not a term that has just been adopted recently but is one that was used by the Communist Party back in 1948 and 1949.

Mr. DONNELLY. That is right.

Mr. TAVENNER. Now, what did the Communist Party do with regard to colonizers? What was that situation?

Mr. DONNELLY. Well, things were pretty quiet when they first came in. They had gotten jobs at these various jobs and gotten their probationary period in, which is 90 days. I mean, they didn't activate themselves until that time. In fact, one fellow that came in here was very—in fact, if he met someone, even someone he knew on the street, he wouldn't talk to them, and that was Martin Trachtenberg. There was a certain fellow, a guy by the name of Al Nefaro, met Trachtenberg in front of the city hall, I believe—of course this is hearsay, and he said that he walked up and slapped Trachtenberg on the back and Trachtenberg liked to jump out of his skin, turned around and saw Al and took off on the run. So he just wasn't having anything to do with anybody, and he was supposed to be in here for some secret reason or other, and I never did find out what that was.

Mr. TAVENNER. You say the colonizers remained very quiet for the probationary period of 90 days?

Mr. DONNELLY. That is right.

Mr. TAVENNER. What was the importance of remaining quiet for 90 days?

Mr. DONNELLY. Well, in the first place, if the corporations would have found out within the 90 days before they established service in these shops, well, they would just have been let go. There wouldn't have been any if's, and's, or but's about it. I mean, the union wouldn't have had to fought for them because they didn't have service. They were still probationary employees, and the union didn't have any control over the situation. But after they established their service, regardless of what reason the factory tried to let them go, the union, due to the union constitution, would still have had, whether they wanted to or not, put up a fight.

Mr. TAVENNER. So these colonizers that were brought in there were very quiet for a period of 90 days?

Mr. DONNELLY. That is right.

Mr. TAVENNER. Do you know what the plan was of the Communist Party in bringing in colonizers?

Mr. DONNELLY. To put a new life in the party and to give leadership to the masses.

Mr. TAVENNER. What type of people were these colonizers that were brought in?

Mr. DONNELLY. They were all high I. Q. fellows, college boys and girls, what have you.

Mr. TAVENNER. Highly trained college people?

Mr. DONNELLY. That is right.

Mr. TAVENNER. With high I. Q.'s, I believe you said.

Mr. DONNELLY. That is right.

Mr. TAVENNER. Did you get to meet, become personally acquainted, with some of these colonizers?

Mr. DONNELLY. I did.

Mr. TAVENNER. Where were these colonizers located in the party in Flint? Where were they assigned, or rather, where did they take up their duties?

Mr. DONNELLY. Well, Trachtenberg went to Buick.

Mr. TAVENNER. Is that Mr. Martin Trachtenberg?

Mr. DONNELLY. Martin Trachtenberg, yes.

Mr. CLARDY. Were you at the hearing yesterday, witness?

Mr. DONNELLY. No.

Mr. CLARDY. Did you hear any of it?

Mr. DONNELLY. Yes.

Mr. CLARDY. The Martin Trachtenberg you are talking about is the docile gentleman who was on the stand at the close last night?

Mr. DONNELLY. Yes.

Mr. TAVENNER. Did you hear it over the radio?

Mr. DONNELLY. I did.

Mr. TAVENNER. Did you recognize his voice?

Mr. DONNELLY. I did.

Mr. CLARDY. Did you recognize his manner?

Mr. DONNELLY. I did.

Mr. CLARDY. Is that typical?

Mr. DONNELLY. That is typical.

Mr. TAVENNER. You say he was one of the colonizers.

Mr. DONNELLY. He was.

Mr. TAVENNER. Did you learn from him anything about his educational qualifications?

Mr. DONNELLY. No. I knew he was a college man, but I didn't know——

Mr. TAVENNER. That is all we found out, too.

Mr. DONNELLY. So you know just as much about it as I do.

Mr. TAVENNER. Well, was he assigned to the place where you were working? I mean to Buick?

Mr. DONNELLY. Yes, Buick.

Mr. TAVENNER. When did he become affiliated—or did he become affiliated with your group of the Communist Party?

Mr. DONNELLY. Well, the first—he used to come around to Jack's, I had seen him there several times.

Mr. TAVENNER. Jack White?

Mr. DONNELLY. That is right—before he ever started asserting himself, so to speak, but about the first time that I remember of Martin doing anything was at a union meeting. He got up and started to talk, and something came up, and he got to his feet, asked for the floor and got to his feet, and if he had kind of humbled himself a little bit and tried to approach the subject on a trade-union level or on a workingman's level, everything would probably have been all right, but there was a certain individual at this meeting that I never figured was too sharp, but he recognized this thing right off the reel. He wanted to know who in the hell this guy thought he was trying to kid——

Mr. TAVENNER. Recognized what thing right off?

Mr. DONNELLY. Well, a man getting up there talking like a Philadelphia lawyer, you know, at a union meeting, and they recognized the fact right away, that he wasn't a trade unionist, and so I think Trachtenberg was the guy that put these people on the spot more; in fact, I think he was the first one to put them on the spot, because by getting up there and using the language he did, you know, and putting himself forward in the manner he did, he just gave the whole show away.

Mr. TAVENNER. Plainly indicated that he was working in the interests of the Communist Party rather than trade unions.

Mr. DONNELLY. Well, he was strictly out of character at a union meeting because he would have been more in character in Congress or some place like that, you know.

Mr. CLARDY. I hope, Witness, you mean a Communist congress.

Mr. DONNELLY. Well, that was just a phrase of speech. Everybody is getting in their plug—I thought I would.

Mr. CLARDY. Would you say then, in other words, that he carried on at that time about the way he carried on yesterday?

Mr. DONNELLY. That is right. He talked more like a college professor than he did a worker.

Mr. DOYLE. Mr. Chairman, I wish to assure the witness that we don't want him on my side of the aisle in Congress.

Mr. CLARDY. You can have him as far as I am concerned. I am quite sure that the gentleman wouldn't be able to qualify on many scores, but at any rate, to come back to what you were saying, he behaved in such a manner that it was plainly apparent to the good union members present that he had an ax of some kind to grind.

Mr. DONNELLY. That is right, yes.

Mr. CLARDY. He wasn't talking as a union member would talk, and was devoting himself, I take it, to subjects that were off the beam, more or less?

Mr. DONNELLY. That is right, yes.

Mr. DOYLE. He apparently was using his ax against the constitutional form of government as we know it, as a mouthpiece of the American Communist Party.

Mr. CLARDY. Would you say that is right?

Mr. DONNELLY. That is right, yes.

Mr. CLARDY. You know, I am moved to remark, Mr. Counsel, that I think one of the things that in the long run will do as much if not more to defeat the efforts of the Communist Party to infiltrate and destroy labor unions, because that is their ultimate objective, as you know, and as they demonstrated in Russia, will be the very fact that they are so overbalanced in their desire and zeal to promote the party's ends that they betray themselves and destroy whatever effectiveness they have before they are done, would you agree with that?

Mr. DONNELLY. I would agree with that, yes, sir.

Mr. CLARDY. Thank you.

Mr. DOYLE. May I make this comment there, Mr. Chairman, and I think it is very apropos—another reason those Communists conspirators will be defeated is on account of the presence and control of it in the American labor movement generally of patriotic devoted American citizens in the union who recognize the Communist conspiracy for what it is and kick it out whenever they discover it.

Mr. CLARDY. That is what I had in mind. They overplay their hands, and the good loyal Americans in the movement see them for what they are.

Mr. DONNELLY. That is what happened in this case.

Mr. CLARDY. That, I think, is exactly what happened yesterday, too. Proceed.

Mr. VELDE. Since we are complimenting various individuals for ability to recognize the Communist movement in the labor unions, let us also pay a few respects to the great body of security officers in our large industrial plants who are able to work with not only their employers, but with the employees, too, and recognize the Communist leaders that come in and get good and complete records of those Communists and cooperate with their Government agencies in rooting them out.

Mr. CLARDY. I agree with you, and it would probably interest you to know that since we have been in town my phone has been ringing continually, and in every instance it has come from a man in the plant who hates and detests communism, passing on helpful information that we shall make good use of, and some of it has had to do with the character you are now discussing.

Mr. DONNELLY. I think there is one point that should be brought out at this time, if you don't mind, and that is the fact that this thing had a big chance of succeeding if conditions hadn't have been as they were, like in the last few years work has been plentiful, I mean, money has been flowing into the worker's pocket, and it is pretty hard to sell a man that can buy a $10,000 home, drive a new automobile, have a television set, on the fact that the system he is living under isn't good. All right, on the other hand, suppose we had had a little tough luck along the line, that we had a depression or, you know, on the verge

of a depression—this thing had a big chance of working, and that is a fact that people—I have noticed this thing that during the war, you know, World War II, people walking around the streets, you wouldn't think that people were getting killed just a little ways from here, you know, across the pond. They were unconcerned about the thing, and they are taking this thing the same way, and I think it is very, very important that that thing is brought out.

Mr. CLARDY. I quite agree with you, witness, although I have the utmost confidence in the good sense of the average American, no matter what economic stratum of society he may come from.

Mr. DONNELLY. That is right.

Mr. CLARDY. I think they in the long run will reject the false ideology that these fanatical traitors are trying to sell us.

Mr. DONNELLY. What I was trying to get at is that we are locking the barn after the horse is stolen.

Mr. CLARDY. That is right.

Mr. TAVENNER. In other words, communism had a great deal better chance of success where the people have been complacent about it?

Mr. DONNELLY. When a man is hungry he is going to listen anywhere, but when he has a few nickels in his pocket and drives a good automobile, it is going to be pretty hard to talk on it.

Mr. TAVENNER. Therefore it is important to be alert.

Mr. DONNELLY. That is right.

Mr. TAVENNER. Now, were any other of the colonizers assigned to your unit, to Buick?

Mr. DONNELLY. Yes. There is a name I would like to pass up here for a few moments because I know the individual, but I am a little bit undecided about the last name, so I don't want to make any mistakes.

Mr. TAVENNER. That is right.

Mr. DONNELLY. Howard Falk works at Buick.

Mr. TAVENNER. Howard Falk?

Mr. DONNELLY. F-a-l-k.

Mr. TAVENNER. Was he one of the intellectuals?

Mr. DONNELLY. That is right.

Mr. TAVENNER. He was the first of that category of witnesses who appeared before the committee yesterday or the day before, the day before yesterday. He seemed, according to the testimony here, to have failed to inform his employer of the fact that he had a degree in electrical engineering, but he came in from New York within a week after he received his degree and took a position for which his training had been no preparation. Will you tell us about him?

Mr. DONNELLY. Howard Falk, he is employed at Buick. He has been very active in party circles and the program the party has been carrying on since he reached town. Of course I am just speaking up as far as 1951. I don't know what has transpired since then. I knew he was a college graduate, but the hearing the other day, I didn't know just what he majored in or anything like that. I mean, I never was interested enough to ask him or ask anybody else. Hearing that testimony the other day brought to my mind a little discussion I had with Falk once about exploitation and what have you.

Mr. TAVENNER. About what?

Mr. DONNELLY. About exploitation. He tried to tell me that due to the fact the farmers owned their own means of production, they were

capitalists. He had quite a time, you know, trying to make me see that. He didn't succeed because I was born and brought up on a farm, and I know we were never capitalists. Things come hard. But I mean this ideology of the party, anybody that controls the means of production, you know, they are exploiting somebody, they are capitalists or something; you own a horse and plow and you got a little piece of ground, you are a capitalist. That was the idea he was trying to give me. I don't know whether this thing is deeply rooted or, you know, whether it goes all the way through the party or not, but that was his idea on the thing.

Mr. CLARDY. I can assure you that it is, and if you have any doubt about it, you have only to look to Russia and to Poland where anyone who had any property of any kind, farm, farm animals, and so on, was regarded as a Kulak, and it was a question of "off with their heads" because only the proletariat is supposed to have any rights of any kind. Of course they are not allowed to own any property. They are supposed to be servants of the state, but anyone who owns anything is an enemy of the workers to believe the Communists, and so he was voicing the true Marxian doctrine of setting class against class, poisoning the minds of everyone so that you would set every man's hand against every one else.

Mr. DONNELLY. Well, when I bought that lunch wagon, you know, they called me petty bourgeois. Well, I lost $1,800 in the deal, so I don't think that made me a capitalist, either.

Mr. TAVENNER. Now, will you tell us the names of other of the intellectual group that came in to take over the affairs of the Communist Party in Flint?

Mr. DONNELLY. You mean the people, the colonizers that were brought in here?

Mr. TAVENNER. Yes, the colonizers. I am asking you particularly now about the persons who were known to you as colonizers.

Mr. DONNELLY. Well, Max Trachtenberg was here for a time. I understand that later he went to Detroit. He was a brother of Martin.

Mr. TAVENNER. Was he a member of the Communist Party while here?

Mr. DONNELLY. Yes. And Bill Van der Does.

Mr. TAVENNER. Van der Does?

Mr. DONNELLY. Yes.

Mr. TAVENNER. Where was he assigned? Where did he take up his work?

Mr. DONNELLY. At Fisher Body.

Mr. CLARDY. We had better spell that.

Mr. DONNELLY. Well, it is V-a-n d-e-r D-o-e-s.

Mr. TAVENNER. Can you advise the committee more in detail about this person?

Mr. DONNELLY. Well, Bill came into town, he was one of the—came in about the same time or a little after Marvin Engel, and I don't really know too much about Bill. I met him a lot of times. I talked to him, but he has been around party circles, and he was indoctrinated with the ideology, and that is about all I know about Bill.

Mr. TAVENNER. Can you recall the names of any others that you knew came in as part of the group of colonizers, whether they were assigned to Buick, whether they worked in Buick, or wherever they may have worked?

Mr. DONNELLY. Well, I believe I mentioned Jack Moscou.

Mr. TAVENNER. Yes, you did. Now, where did he work? Was he one of this group?

Mr. DONNELLY. Yes, he was one of this group. He is a cousin of Bill Van der Does.

Mr. TAVENNER. A cousin of Van der Does?

Mr. DONNELLY. Yes.

Mr. TAVENNER. Do you recall where he worked?

Mr. DONNELLY. Yes, Chevrolet.

Mr. TAVENNER. Can you give us any additional information regarding him or his activities?

Mr. DONNELLY. Well, he was pretty active in the party. I knew Jack fairly well. The first time I met Jack was over to Louis Roberge's. I was over there doing some work for Louis, and Jack and another young fellow came up there. I was introduced to him at that time. That must have been right after he reached town. I was told that he was one of the colonizers that some of the boys sent in, one of the boys sent in.

Mr. TAVENNER. Are there others you can recall?

Mr. DONNELLY. Well, Zina Brandi[1] came in here. I guess you could call her a colonizer. She is from out of town.

Mr. TAVENNER. What is her name?

Mr. DONNELLY. Brandi, B-r-a-n-d-i.

Mr. TAVENNER. Now, you mentioned in the earlier part of the testimony that you desired to withhold your testimony for the present as to one individual because of your uncertainty as to his last name.

Mr. DONNELLY. That is right.

Mr. TAVENNER. You know him by his first name, do you not?

Mr. DONNELLY. That is right, Jerry.

Mr. TAVENNER. I am not asking you to give it yet. Do you think you can identify the person if you see him?

Mr. DONNELLY. I could.

Mr. TAVENNER. Let us wait until later on in the day and ascertain whether or not you can identify the person by sight, and if so, I will ask you additional questions regarding him.

Mr. DOYLE. I am glad to note, Mr. Chairman, the care with which our counsel makes sure that only persons are named as members of the Communist Party who are definitely known by any witness to be members of the Communist Party. I know that is the policy of our counsel for the committee, and I am glad to see it is being carried on here. In other words, we only name in public—or we only allow to be named in public so far as we can control it those persons who can be positively identified by a witness as members of the Communist Party. That is not only according to fair practices of procedures of American law, but it is fair and equitable.

Mr. TAVENNER. Can you recall the names at this time of any other persons who were in this category of colonizers?

Mr. DONNELLY. Well, there was Lola Van der Does, Bill's wife. I never remember seeing Lola at any functions.

Mr. TAVENNER. What is her name?

Mr. DONNELLY. Lola, L-o-l-a, Van der Does. And there is a Ted Karpell. He was told to leave town. He got beat up at Chevrolet.

[1] Now Mrs. Ray Haskell.

They figured he was a bad risk, and he was told by the party to leave town.

Mr. TAVENNER. Well, he was a member of the Communist Party?

Mr. DONNELLY. That is right.

Mr. TAVENNER. Was he in this category of——

Mr. DONNELLY. Colonizer.

Mr. TAVENNER. Colonizer?

Mr. DONNELLY. Yes.

Mr. TAVENNER. You mentioned earlier in your testimony a person by the name of Borod, I believe.

Mr. DONNELLY. Murray Borod.

Mr. TAVENNER. Was he in this category of colonizer?

Mr. DONNELLY. Yes, he was brought in from Pontiac.

Mr. TAVENNER. From Pontiac?

Mr. DONNELLY. Well, from New York originally, but——

Mr. TAVENNER. From New York to Pontiac and Pontiac to Flint?

Mr. DONNELLY. That is right.

Mr. TAVENNER. Were you personally acquainted with him?

Mr. DONNELLY. Yes.

Mr. TAVENNER. Was he a member of the Communist Party in Flint?

Mr. DONNELLY. Yes.

Mr. TAVENNER. Where did he work?

Mr. DONNELLY. Chevrolet.

Mr. TAVENNER. You have already told us that you were acquainted with his wife.

Mr. DONNELLY. That is right

Mr. TAVENNER. And his wife's name was——

Mr. DONNELLY. Geneva.

Mr. TAVENNER. Do you know of your own knowledge why he left Pontiac and came to Flint? Don't state what anyone told you unless he, himself, told you.

Mr. DONNELLY. Then I couldn't make any statements because what I know about it was hearsay.

Mr. TAVENNER. Yes. You were present at a meeting of the youth group of the Communist Party during the middle of September 1949 at a farm near Columbiaville? Do you recall?

Mr. DONNELLY. I was out there. They had a meeting out there, but it seems to me that it was earlier in the year, unless it was an awfully late—of course it could have been September. I guess in some years you could swim in September, but they had a makeshift pool out there. The meeting that I remember——

Mr. TAVENNER. Did you attend more than one meeting out there?

Mr. DONNELLY. I have been out there several times, but the one meeting is all I can remember.

Mr. TAVENNER. Then I may be in error as to the date of the meeting. At any rate you were at a meeting in 1949?

Mr. DONNELLY. They held it outdoors on the lawn, and later some of us went swimming in this pool, so it seems to me that it should have been a little earlier in the year. I could be wrong; I am not sure.

Mr. TAVENNER. Was Murray Borod there?

Mr. DONNELLY. He was.

Mr. TAVENNER. Was Geneva Borod there?

Mr. DONNELLY. Yes.

Mr. TAVENNER. Was that prior to their marriage and was her name Geneva Olmsted at that time?

Mr. DONNELLY. Well, now, I couldn't really say about that.

Mr. TAVENNER. Do you know whether they met for the first time at that meeting or not?

Mr. DONNELLY. No, they met New Year's Eve 1948 at this place. They were having a New Year's Eve party.

Mr. TAVENNER. At this same place?

Mr. DONNELLY. At this same place.

Mr. TAVENNER. How do you know that was their first meeting?

Mr. DONNELLY. Well, I know that people have been telling Geneva about Murray, and up until that time she had never met him.

Mr. TAVENNER. Was Murray working at Pontiac at that time?

Mr. DONNELLY. He was.

Mr. TAVENNER. Are there any other members of the category of colonizers that you can now recall?

Mr. DONNELLY. Betty Thomas [1] is in here.

Mr. TAVENNER. Do you know how she was employed?

Mr. DONNELLY. Well, she had two or three little jobs when she was here. It seems to me she had a job with a coal company or something, stenographer or something. Then I can't remember where she got employment after that. I know most of the time she was here she wasn't working at all.

Mr. TAVENNER. Yes. Are there others that you can recall who were among the colonizers?

Mr. DONNELLY. I will have to whistle this—Sapolinski.

Mr. TAVENNER. Where was he employed?

Mr. DONNELLY. Chevrolet, I believe—yes, Chevrolet. His first name was Leon. He was killed when he went home to see his mother on Mother's Day. I think it was 1948 or 1949, somewhere around there, 1949, I believe it was.

Mr. TAVENNER. You have told the committee that these colonizers were sent in here, and you have given us a description of various places in industry principally to which they were assigned. You have told the committee that the purpose was to build up the party and to create leadership for the masses, and that that was the purpose of sending these people in here. Now will you tell the committee, please, how they functioned when they did get here and what the result was?

(Representative Harold H. Velde left the hearing room at this point.)

Mr. DONNELLY. Well, they had little or no understanding of the working people in the trade-union movement, and they tried to insert a lot of things in there, you know, that our organizer felt at that time they were going a little bit fast, and I guess he had quite a time with them to try to keep them toned down until they could get some kind of an idea what this thing was all about, how the trade-union movement was taken care of, you know, I mean how you operated as a trade unionist and on what level you approached this thing. They were trying to approach it from their level, and as I think one of your witnesses said, I heard this, too, that one of the colonizers said he had

[1] Now Mrs. Al Mayen, Detroit, Mich.

an awful time when talking to a worker, of bringing himself down to the worker's level so he could talk to him, and I mean that was the general idea.

Mr. TAVENNER. We have found a statement which is referred to as Johnson exhibit No. 1, an official statement of the Communist Party of the State of Michigan, which shows great concern prior to 1949 over which it terms economism within the Communist Party, and showing that from that time on an effort should be made to struggle against economism, and by "economism" they meant this, according to the Communist Party statement:

> Too much of our party work and activity is confined to narrow trade-union issues,

and that what they wanted the party to do in this area in concentrating in industry according to the Communist Party statement, is that they wanted to develop the ideology of the party among the workers; they wanted the party to use the same alertness which Communist auto workers had learned in helping to build and defend their local unions in such a way that it would be reflected in organizing the fight for peace, organizing the fight for Negro rights, organizing the defense of democratic rights, organizing to bring the case of the 12 before their fellow workers in local unions. In other words, the work of the party began to take on a new prospective and an additional purpose, one which, according to the testimony of Bella Dodd, had all along been the purpose of the Communist Party.

Mr. DONNELLY. Well, that is what I was thinking. The idea itself hadn't changed any. They had that idea to begin with.

Mr. TAVENNER. But these intellectuals, these colonizers, were brought in here to make certain that that phase of Communist Party activity was given prominence. Now, did it work?

Mr. DONNELLY. No, as you can see, it didn't work, but as I stated before, under different circumstances it might have worked. If it had worked, we wouldn't have been conducting this hearing today, and they wouldn't have been on the skids.

Mr. TAVENNER. When you left the party in 1951 were those colonizers still at work, those intellectuals within the Communist Party?

Mr. DONNELLY. They were.

Mr. TAVENNER. Some of them have been produced here as witnesses and some are yet to be produced as witnesses of those you have named. Do you have any way of knowing what their activities have been in the Communist Party since 1951?

Mr. DONNELLY. No, I haven't.

Mr. TAVENNER. This would be a good place for a break.

Mr. CLARDY. We will take a 5-minute recess.

(Whereupon, at 10:43 a. m., the hearing was recessed, to reconvene at 10:48 a. m.)

(Whereupon, at 10:54, the hearing was reconvened, Representative Harold H. Velde having returned to the hearing room during the recess.)

Mr. CLARDY. The committee will be in session. Proceed, Mr. Tavenner.

Mr. TAVENNER. Mr. Donnelly, I will ask you at this time to give the committee the names of any other persons with whom you came in contact during your membership in the Communist Party who were known to you to be members of the Communist Party.

Mr. DONNELLY. There was Bolza Baxter, Louis Baxter.
Mr. TAVENNER. What relation was he to Bolza?
Mr. DONNELLY. Brother.
Mr. TAVENNER. Did you know the wife of Louis Baxter?
Mr. DONNELLY. Jean, yes.
Mr. TAVENNER. Was she a member of the Communist Party?
Mr. DONNELLY. Yes, she was—I guess she was more active in the youth league than she was in the party.
Mr. TAVENNER. But she was a member of the Communist Party?
Mr. DONNELLY. That is right.
Mr. TAVENNER. And assigned to the Labor Youth League.
Mr. DONNELLY. That is right.
There was Louis Roberge. He is deceased. Lloyd Dantzler.
Mr. TAVENNER. Let me suggest this: In situations where you know the person is now deceased, unless they were a functionary in the Communist Party, I think it would be just as well not to mention them.
Mr. DONNELLY. All right.
Mr. TAVENNER. All right, the last name that you gave?
Mr. DONNELLY. Lloyd Dantzler.
Mr. TAVENNER. Can you give us any information relating to him as to his employment?
Mr. DONNELLY. Well, Lloyd worked at Buick, he lived in his brother's house, Friendly Dantzler, and we used to have meetings there. I think these meetings caused Friendly quite a lot of concern, but nevertheless we used to meet there, and that is my cell or unit, and the last——
Mr. TAVENNER. When you say it gave the brother a great deal of concern, was the brother a member of the Communist Party?
Mr. DONNELLY. He was, but I guess he kind of got the idea that it was more or less putting him on the spot by using his house.
Mr. TAVENNER. What was the brother's name?
Mr. DONNELLY. Friendly.
Mr. TAVENNER. Very well.
Mr. DONNELLY. There was Nadine Baxter, Bolza's wife.
Mr. TAVENNER. Do you know what her maiden name was?
Mr. DONNELLY. No, I don't. They were married when I first met her. There was a fellow by the name of Ben Fields. He was in for a short time. He wasn't very active.
Mr. TAVENNER. Do you think he withdrew from the Communist Party? I mean, do you know whether he withdrew from the Communist Party?
Mr. DONNELLY. I haven't any idea. I haven't seen Ben in 3 or 4 years. Henry Birdsell.
Mr. TAVENNER. How do you spell the name?
Mr. DONNELLY. B-i-r-d-s-e-l-l.
Mr. TAVENNER. Where was he employed?
Mr. DONNELLY. I am not quite certain, but I think it was Chevrolet.
Mr. TAVENNER. Could it have been at AC?
Mr. DONNELLY. It could have been at AC, yes. I am not sure what shop he worked in.
Mr. TAVENNER. On what do you base your statement that he was a member of the Communist Party?

Mr. DONNELLY. Well, I had met him at different party meeting and he used to—well, at one time I went with two other fellows u here on Fourth Street, and he used to come up there quite frequentl and meet with Jimmy Zarichny and Al Nefaro and myself.

Mr. TAVENNER. You spoke of Zarichny. Did you know him to b a member of the Communist Party?

Mr. DONNELLY. I did.

Mr. TAVENNER. Did you say yes?

Mr. DONNELLY. Yes.

Mr. TAVENNER. I would like to ask you if any of these persons tha you have named since the recess were members of or in the categor of colonizers, if you can tell us.

Mr. DONNELLY. Well, I am not sure——

Mr. TAVENNER. If you are not sure, don't state it.

Mr. DONNELLY. I am not sure how these people live, so I can't say whether——

Mr. TAVENNER. Will you lift your voice a little?

Mr. DONNELLY. Dantzler, he was from Flint, and——

Mr. TAVENNER. All right, if you will proceed, please, with an other names of persons known to you to have been members of th Communist Party.

Mr. DONNELLY. There was Erwin Holland.

Mr. TAVENNER. Erwin who?

Mr. DONNELLY. Holland, H-o-l-l-a-n-d.

Mr. TAVENNER. Spell the first name. There are several spellings o that name.

Mr. DONNELLY. E-r-w-i-n.

Mr. TAVENNER. How do you spell Erwin, do you know?

Mr. DONNELLY. E-r-w-i-n, I guess.

Mr. TAVENNER. How did you know the person that you mentioned to be a member of the Communist Party?

Mr. DONNELLY. I had met with him.

Mr. TAVENNER. Was he a member of the Communist Party at the time that you left the party?

Mr. DONNELLY. No, sir.

Mr. DOYLE. Counsel, the witness answered that question when you asked him how he knew him to be a Communist, and all his answer was that he had met with him. He didn't say where he had met with him or——

Mr. DONNELLY. I will clarify that. I have met with him at party meetings.

Mr. DOYLE. Communist Party meetings.

Mr. DONNELLY. That is right.

Mr. TAVENNER. You say he is no longer a member of the Communist Party. Will you tell the committee why, if you know?

Mr. DONNELLY. Well, Irv voluntarily joined the Army.

Mr. TAVENNER. Was that during the Korean fighting or when was that?

Mr. DONNELLY. Yes. It was around that time. I don't remember just exactly when Irv went in, but anyway, at that time he joined the Army voluntarily, which is very much against the Communist ideology and what have you. I mean, they didn't believe in that; they didn't believe in the war in Korea, and you had, at that time, as I under-

stand, to sign a loyalty pledge and what have you, and evidently he was accepted, so he must have done that, and I think the party at that time realized this fact, and they dropped him.

Mr. TAVENNER. What do you mean by "dropped him"?

Mr. DONNELLY. Well, they just didn't want to have anything more to do with him.

Mr. TAVENNER. Did they expel him?

Mr. DONNELLY. Well, I heard on several occasions—nobody quits the Communist Party. They get rid of them.

Mr. VELDE. Well, Mr. Donnelly, do I understand you to say that the Communist Party members of your group took active interest in seeing that young men did not enlist for the war, to participate with our American forces in the Korean war?

Mr. DONNELLY. That was it, yes.

Mr. DOYLE. In other words, let me ask you to see if I understand this, the Communist Party in Flint during the time that you were a member, an active member, to your personal knowledge, dropped this man Irv because he volunteered to join the United States Army to fight for the needs and objectives of the United States and United Nations in Korea; is that right?

Mr. DONNELLY. That is correct.

Mr. CLARDY. The way you answered the question about the Communist Party getting rid of him prompts me to ask this: Did they take any formal action, or did they merely strike him from the roll, so to speak, and advise the others that he was no longer to be trusted?

Mr. DONNELLY. Well, if they had a vote or, rather, a board on him, I am not aware of it—I mean, if they called a board meeting on it—and expelled him that way.

Mr. CLARDY. If there was any formal action, it wasn't brought to your attention?

Mr. DONNELLY. It wasn't brought to my attention, no, sir.

Mr. CLARDY. But it became common knowledge that he was no longer in good standing with the party.

Mr. DONNELLY. That is right, he might just as well have gone to church as join the Army.

Mr. CLARDY. Joining the church, of course, as I understand it, is the greatest sin a Communist could commit.

Mr. DONNELLY. That is right.

Mr. VELDE. What was the attitude of the members of your cell with reference to the cause of the Korean war? According to the Communist Party members in your cell, who was the aggressor, the North Koreans, the South Koreans, the United States?

Mr. DONNELLY. The United States.

Mr. VELDE. The United States was the aggressor according to your fellow members of the Communist cell to which you belonged?

Mr. DONNELLY. That is right.

Mr. VELDE. You said a moment ago in response to what was somewhat of a leading question from me that they took an active interest in preventing young men in this vicinity, especially their own members, from joining the American armed services to fight in the Korean war. Can you tell us a little bit more about that? Did they preach the peace movement in their meetings or just how did they go about that?

Mr. DONNELLY. Yes, I am sure everybody is aware of the Stockholm

Peace Pledge that was circulated. These petitions were circulated on the Stockholm Peace Pledge, and we had—now, I don't remember just exactly, whether it was 1949 or 1950, there was a peace conference held in Chicago, Ill., and some of us went down there, and in fact, there were people there from all over the United States. I met people from California and just about every State in the Union was represented there, and it lasted 2 days, and it was all about this Stockholm Peace Pledge and about this, well, world conditions, in general.

Mr. VELDE. Where was the meeting held, Mr. Donnelly, in Chicago?

Mr. DONNELLY. Well, I had no notes, and I had it written down on there, the address, but——

Mr. VELDE. Would it have been the Sherman Hotel? Was it in a hotel, as you recall?

Mr. DONNELLY. No, it wasn't in a hotel. It was a large building.

Mr. CLARDY. Was it at a school?

Mr. DONNELLY. It was a large building, as I remember, and we had nearly the entire floor on this one floor.

Mr. VELDE. Was it a building on Michigan Avenue facing the lake?

Mr. DONNELLY. If I remember correctly, it wasn't very far from Wabash. I was at one time fairly well acquainted with Chicago. I can't remember exactly where it was. There as——

Mr. CLARDY. Mr. Donnelly, before you go ahead with that, I want you to know that the committee is investigating the meeting that was held in Chicago as well as the whole Stockholm peace movement at the time, and if you subsequently recall any more of the details concerning the meeting in Chicago, the committee certainly would welcome that information from you.

Mr. DONNELLY. Well, there was a fellow there with me, Robert Churchill, and he took notes, too. Bob and I were the only two that had a seat on the floor that day, and he took notes. Well, I don't know, I lost mine, but evidently I understand that Bob has still got his or Beatrice Churchill has, rather.

Mr. VELDE. Robert is the husband of Beatrice Churchill, is that right?

Mr. DONNELLY. That is right. So I imagine that if there is any additional information, it could be gotten there.

Mr. VELDE. Do you have any other information within your own memory concerning the meeting in Chicago other than what you have given us at the present time?

Mr. DONNELLY. Well, they took up quite a few issues that first day. I can't remember exactly what they were, but that night Bob and I were paired off, and the place they sent us, the billet that they had for us for that night was away across town, and we finally got in there and found out we was in an organizer's house, one of the Chicago organizers—they had a lady organizer there. I didn't have the pleasure of meeting her. She wasn't there, but her husband was there, and they put us up for the night, and the next morning we left, we went back to the conference, and everybody is standing around, and nobody seemed to be doing much, so Bob says, "Well, the rest of them are getting drunk, so let's you and I," so I guess that's what happened. I remember Paul Robeson came in in the meantime, and I don't remember much of what he said because I was occupied elsewhere.

Mr. VELDE. Do you know who was in charge of the meeting at that time?

Mr. DONNELLY. No, I don't.

Mr. DOYLE. You mean a meeting, Mr. Chairman, where—I would be interested, too; who was in charge of the meeting where you all got drunk?

Mr. DONNELLY. Well, you see, they had a big room where the speakers' platform was, and they also had their tables and the chairs in there for the people that was taking notes on this thing, you know, and was attending with the idea of getting something out of it, I guess, but right outside the door there was a bar. They had—well, it looked like a bar that you might find in some of these old western towns, it was just a makeshift outfit, and that is what they were dispensing their alcoholic beverages over, and that is where I and Bob proceeded to get drunk.

Mr. CLARDY. Was this on the house?

Mr. DONNELLY. Oh, no, no, no. I don't think so. If it was, I spent a lot of money for nothing.

Mr. TAVENNER. I believe you said that the Communist Party was as much opposed to volunteering for service in the Korean war as it was in joining the church. What did you mean by your reference to the Communist Party attitude toward religion?

Mr. DONNELLY. Well, they advocate atheism, and they believe in material things and not spiritual, and the first thing that—I had quite a lot of trouble with this because I never was considered too smart. I've got very little education, and when I started reading some of this stuff that was put out by Engels and Marx and some of this other stuff, well, I had the wrestling match of my life, but the idea is that regardless of your bringing up, to indoctrinate you by scientific methods, you know, rather than the spiritual methods; like everything that happens, there is a scientific reason for its happening.

Mr. CLARDY. And Marx has the explanation.

Mr. DONNELLY. That is right. You see, if the religious people, the religious world, would follow their one God as closely as the Communist people follow their four gods, there wouldn't be any need of this meeting, and by four gods I mean Marx, Engels, Lenin, and Stalin.

Mr. DOYLE. Mr. Chairman, in view of the witness' observation that he never had much education, I think he stated he never went beyond the seventh grade so far as formal schooling is concerned, is that correct?

Mr. DONNELLY. That is correct, yes, sir.

Mr. DOYLE. Well, after all, Witness, isn't the greatest education the university of hard knocks?

Mr. CLARDY. The university of experience, in other words.

Mr. DOYLE. The university of hard knocks and experience, isn't that the greatest teacher?

Mr. DONNELLY. I have had a lot of those knocks.

Mr. DOYLE. So have I.

Mr. CLARDY. I think I should say to you, Witness, that you have been preceded on the stand by people who have Ph. D. and other degrees. Your comprehension and understanding of the important fundamentals of life and spiritual values far transcends that of anyone who has thus far been prating about communism and about the degrees that they hold.

You know, those arrogant people go so far as to sometimes appear before us and bestow the title of intellectuals upon themselves. May

I tell you, sir, you have a far greater understanding of the problems of life and a better understanding of our country and what has made it great than all of them put together, despite the fact that you say you only went to the seventh grade.

Mr. VELDE. Mr. Clardy, may I concur thoroughly in those well chosen words.

Mr. TAVENNER. Were you a member of any religious denomination during the period of time you were in the Communist Party?

Mr. DONNELLY. This is off the record, but my mother, she belongs to the Spiritualist Episcopal Church, and during the time that I did belong to the party I joined that church.

Of course I don't think that I was exactly honest with the people in the church. I didn't elaborate on my connection with the Communist Party or anything, but I did, I used to attend church with my mother, and I used to go down there quite a bit, and I did—I think if you want to, you could check, and you could find my name on there.

Mr. TAVENNER. Yes, but during the period of your membership in the party did you engage in religious activities at your church?

Mr. DONNELLY. Yes, I used to attend the church and take in the functions of the church.

Mr. CLARDY. Witness, don't you think that probably one of the strongest magnets that pulled you away from the Communist Party and the things it stands for was the spiritual as distinguished from the material?

Mr. DONNELLY. I don't think—I know it.

Mr. TAVENNER. You said in the earlier part of the testimony that there was an individual whose first name you recall, but you could not recall his last name, and for that reason you thought that you should not attempt to mention him.

Mr. DONNELLY. That is right.

Mr. TAVENNER. I stated I would like for you to see if you could identify the person to whom you referred as being present in this hearing room. Will you get up, please, and walk down one aisle and up the other and see if you can identify the individual whom you had in mind?

Mr. DONNELLY. The man sitting back of the railing there.

Mr. TAVENNER. Will the gentleman so pointed out come forward, please?

Mr. DONNELLY. That is the gentleman.

Mr. TAVENNER. Is that the gentleman?

Mr. DONNELLY. That is the gentleman.

Mr. TAVENNER. Will you come forward, please, sir?

Mr. Witness, is this the person standing near you? Is he the person you referred to as having been a member of the Communist Party?

Mr. DONNELLY. He is.

Mr. TAVENNER. Do you recall his first name?

Mr. DONNELLY. Jerry.

Mr. TAVENNER. What is it?

Mr. DONNELLY. Jerry.

Mr. TAVENNER. He was known to you as Jerry?

Mr. DONNELLY. That is right.

Mr. TAVENNER. Well, that is all I will ask you for the moment about that. Mr. Chairman, I would like the gentleman to be sworn who is standing near the seat.

Mr. CLARDY. The gentleman is under subpena. Raise your right hand. You do solemnly swear that the testimony you may give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BAUMKEL. I do.

Mr. TAVENNER. What is your name?

TESTIMONY OF SHERWOOD (JERRY) BAUMKEL, ACCOMPANIED BY HIS COUNSEL, HARRY NEWBLATT

Mr. BAUMKEL. Sherwood Baumkel.

Mr. CLARDY. Spell the last name; it is difficult to hear.

Mr. BAUMKEL. Shall I be seated?

Mr. CLARDY. Yes.

Mr. VELDE. Make a note to identify counsel, too.

Mr. TAVENNER. Yes, I notice counsel is accompanying him.

Mr. CLARDY. Let us have him spell his name and have counsel identify himself. Will you spell it loudly and slowly so we may hear it?

Mr. BAUMKEL. B-a—did you hear that?

Mr. CLARDY. Go ahead.

Mr. BAUMKEL. U-m-k-e-l.

Mr. CLARDY. Will counsel identify himself?

Mr. NEWBLATT. Harry Newblatt.

Mr. CLARDY. What is is your pleasure, Mr. Tavenner?

Mr. TAVENNER. Are you known by the first name of Jerry?

(At this point Mr. Baumkel conferred with Mr. Newblatt.)

Mr. BAUMKEL. I request while testifying that no pictures be taken.

Mr. CLARDY. I couldn't hear that.

Mr. BAUMKEL. I request while testifying that no pictures be taken.

Mr. CLARDY. No pictures are being taken of you at the moment, but they heard your request, I am sure. They will have plenty of opportunity when you have finished.

Mr. TAVENNER. Will you answer the question, please?

Mr. BAUMKEL. My birth name I gave. It is Sherwood Baumkel. You heard that, I presume.

Mr. TAVENNER. Will you answer the question?

Mr. BAUMKEL. Would you repeat the question?

Mr. CLARDY. Witness, because of the reverberations that are sometimes caused, I think if you would stay a distance of about 6 or 8 inches from the microphone we could hear you a little better. It muffles your voices, and I know you have a cold apparently in your throat. Take it easy, and the Chair will work with you and try to make it possible for you to be comfortable and for us to hear.

Mr. TAVENNER. My question to you was whether or not you are commonly known by your friends and neighbors as Jerry.

(At this point Mr. Baumkel conferred with Mr. Newblatt.)

Mr. BAUMKEL. My nickname is Jerry. My aunt at an early age used to call me Sherry, but I couldn't go around with the nickname Sherry, so people talk to me as Jerry. That is my nickname.

Mr. TAVENNER. That is all I desire to ask you for the present.

Mr. CLARDY. Mr. Tavenner, do you desire to have this witness excused from this position?

Mr. TAVENNER. No, sir.

Mr. CLARDY. From this position, I mean, at the moment.

Mr. TAVENNER. Yes, sir.

Mr. BAUMKEL. I am very able to testify here.

Mr. CLARDY. He wants to ask questions of the other witnesses. Will you continue with the other witness until the noon recess?

Mr. TAVENNER. No, sir.

Mr. CLARDY. Very well. Then you may remain where you are, witness. Switch the mike back to the other, please.

Mr. TAVENNER. Mr. Donnelly, will you tell the committee, please——

Mr. CLARDY. Pardon me, Mr. Tavenner. I think perhaps to avoid any distraction and due to the fact that there may be some photographs of the witness taken on the stand that might be misinterpreted by the other witness, I think I will ask the witness and his attorney to retire from that position temporarily. We will recall you when we are ready. In that way you will not be photographed while you are sitting there.

Mr. TAVENNER. Mr. Donnelly, will you tell the committee, please, the circumstances under which you knew the person you just identified as Jerry as having been a member of the Communist Party?

TESTIMONY OF HERBERT H. DONNELLY—Resumed

Mr. DONNELLY. Well, I have attended meetings with him, and he was a frequent adviser at White's.

Mr. TAVENNER. Where?

Mr. DONNELLY. At White's, Jack White's. I worked with him on papers and what have you.

Mr. TAVENNER. Do you know where he worked?

Mr. DONNELLY. Buick.

Mr. TAVENNER. Was he one of the colonizers who came in?

Mr. DONNELLY. He was.

Mr. TAVENNER. He was a colonizer?

Mr. DONNELLY. Yes.

Mr. TAVENNER. Do you have any other information; that is, information—not information, but do you have any knowledge from him as to where he lived before coming to Flint?

I don't want you to testify on the basis of hearsay, but only in the event that he told you or you had some other means of knowing where he was from.

Mr. DONNELLY. No, sir, I don't actually know.

Mr. DOYLE. Counsel, the witness again states that he attended meetings with Jerry, but he did not say what kind of meetings. Am I to assume they were Communist Party meetings?

Mr. DONNELLY. Communist Party meetings, yes, sir.

Mr. DOYLE. May it be understood as far as this witness' testimony is concerned, Mr. Chairman, if it is a fact, that whenever this witness says he has attended meetings with any of these persons he has named or does name, that the witness means Communist Party meetings?

Mr. DONNELLY. That is right, yes.

Mr. DOYLE. Is that an accurate statement?

Mr. DONNELLY. That is an accurate statement; yes, sir.

Mr. CLARDY. The record will so show.

Mr. TAVENNER. Can you recall at this time any particular activities in the Communist Party which were engaged in by the person you identified as Jerry?

Mr. DONNELLY. No, I can't remember anything outstanding, outside of the fact that leaflet distribution—leaflet distribution and things of that order.

Mr. VELDE. What kind of leaflets?

Mr. DONNELLY. Well, it was party stuff, but usually it was put out in some other form, I mean, so it wouldn't be recognized.

Mr. VELDE. Probably having to do with the peace movement——

Mr. DONNELLY. Leaflets concerning the union and what have you, but it was really—it was put out by the party in the union's name.

Mr. TAVENNER. Mr. Donnelly, since the person you identified as Jerry has advised you that his name was Sherwood or Jerry Baumkel, does that refresh your recollection as to his last name, or do you still fail to recall his last name?

Mr. DONNELLY. That is— the only real confusion here was there was two names that was really—the first names were similar, and I wasn't too sure, and I didn't want to make a mistake at the time that I came in here, so that is why I withheld saying anything.

Mr. TAVENNER. There is no doubt in your mind that the person you identified as Jerry is the person to whom you referred as a member of the Communist Party?

Mr. DONNELLY. No doubt whatsoever.

Mr. TAVENNER. And as one of the colonizers.

Mr. DONNELLY. That is right.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. VELDE. I have no further questions, Mr. Donnelly, but I do want to say that the committee does appreciate the testimony which you have given. You have given it in a straightforward manner, and so far as I have been able to judge from hearing a great many witnesses in the past, entirely truthful. I am sure it will be very helpful to this committee, and I appreciate the patriotic service you have rendered for the country to this committee of the United States Congress.

Mr. DONNELLY. Thank you.

Mr. CLARDY. Mr. Doyle?

Mr. DOYLE. To that may I add, Mr. Chairman, that I hope that the employers and employees of the automobile industry in Flint and area will know that it is the policy of their United States Congress, as you say, Mr. Velde, to appreciate when former Communists come forward and help the United States Congress through this committee or any other way or help the FBI as this witness has, to understand the danger of the Communist conspiracy. So I hope, Mr. Chairman—I am certain, let me put it that way—that every patriotic fellow employee of this witness as he returns to a job, will give him a pat on the back instead of a cuss.

Now, that leads me to say, Mr. Chairman, that when yesterday I heard a few of these witnesses who were subpenaed complain about losing time on their jobs—I wish to call attention that today when these same people are not under subpena, several of them are in this hearing room. In other words, they are losing time at their own

expense from their jobs. I just feel it is fair to the committee and to Congress and to these people who yesterday complained about being subpenaed on the grounds that they were losing money. They are losing money today apparently because many of them are in the back end of this room listening to this testimony.

Now, may I say this: On yesterday, Mr. Chairman, I read a statement by UAW–CIO, Mr. Walter P. Reuther, president, under date of Sunday, May 2, 1954, and I think again in view of the fact that this witness has made such a valuable contribution to our knowledge of the colonization of the automobile industry by phony residents of Flint—in other words, by people that deliberately came in here to do a dirty, nasty, stinking job, that at this time it would be appropriate to read one paragraph from Mr. Reuther's statement which I read yesterday, and I read from his resolution, May 2, 1954, and I quote, and I want the members of the trade unions in the room and all others to note now that this paragraph, I think, especially applies to what this witness and the Chair has now done, so here we have a statement from one of the leading organized labor leaders of the United States on this very situation. I quote:

> Protecting the good name of innocent people and their families does not absolve the former Communist from his patriotic duty as a citizen to testify fully of his first-hand knowledge of the names and activities of any Communist Party functionary, of any illegal activity, any evidence of conspiracy to overthrow the Government by force or violence, or evidence of a nature that would serve to strengthen the security of our Nation, while at the same time refusing to testify of any matter of which he has no direct, first-hand knowledge or any matter that happened so far in the past that his memory cannot be relied upon with any degree of accuracy.

Now, Mr. Chairman, I think that that statement of Mr. Reuther as the president of the UAW–CIO in this very area, nationwide, ought to lay at rest whether or not the employee colleagues of this witness should receive him cordially and give him a pat on the back.

I would take it, Mr. Chairman, that any employee or any auto worker in this area that goes contrary to this declaration by Mr. Reuther can well be scrutinized pretty well as possibly pretty closely identified with the Communist conspiracy.

At any rate, here is the declaration of union policy fitting right into this instant case that is today before us.

Now may I take another minute or two.

On yesterday, witness, we had several men, one woman, I think, whom I notice in the back of the room again this morning, raising their constitutional privilege, which we always compliment them in doing when it is in good faith. Why didn't you come here this morning and raise the first and the fourth and the fifth amendments—in fact, all the Constitution of the United States—in defense? What is your motive in coming here without a lawyer and testifying freely before this committee? Aren't you afraid of incrimination in some way?

Mr. DONNELLY. No, sir.

Mr. DOYLE. What is it that motivates you to come? Are you being paid for it?

Mr. DONNELLY. No, sir.

Mr. DOYLE. Have you been offered any inducement or any promise or any pledge?

Mr. DONNELLY. No, sir.

Mr. Doyle. Either directly or indirectly?

Mr. Donnelly. No, sir.

Mr. Doyle. Well, the other witnesses on yesterday accepted their witness fee as provided by the Government when they testified. I suppose you will receive at least a witness' fee as provided by law, won't you?

Mr. Donnelly. No, sir. I am strictly on my own.

Mr. Doyle. Strictly what?

Mr. Donnelly. On my own.

Mr. Doyle. Well, those who use the constitutional privilege accepted their fee, which is all right. It is according to law.

Mr. Clardy. May I remind you, Mr. Doyle, that at Lansing one of the witnesses advanced to the clerk's desk and received or signed the voucher which will eventually produce the witness' fee and expenses and remarked, after having taken the fifth amendment up one side and down the other while on the stand, now I quote:

I suppose you will be surprised when I tell you I intend donating this money to the Communist Party.

That Mr. Doyle, took place at Lansing.

Mr. Doyle. May I ask then this witness a few important questions that I believe are very important for our record and information on the question of these colonizers?

You were a member of the party, witness, in 1946 and severed your connection in 1951. You referred in your testimony to a final break. I think I heard you say that, that there was a final break, f-i-n-a-l. What do you mean by a final break?

Mr. Donnelly. You mean my final break?

Mr. Doyle. Yes. Did you have more than one break?

Mr. Donnelly. No; I had a tapering-off period, and then I had the break, the break that I severed all connection.

Mr. Doyle. What did you find in the Communist Party other than you have testified to, I mean the objective of the Communist Party other than you have testified to, if anything, that made it so that you couldn't tolerate or stomach it any longer?

Mr. Donnelly. One thing, I have always been intersted in—I could never understand from a little child on up why there should be such a thing as segregation. I don't believe in it, I never have, and I never will. Well, at that time it seemed that the Communist Party was the only thing that was doing anything about it, and it wasn't until I got into it as deep as I did that I found out that they were just using the Negro people for their own end.

Mr. Doyle. Let me hear this again. Did I hear you say that after you got into the Communist Party you found that they were using the alleged segregation of the Negro people for their own ends and were not in good faith in fighting segregation?

Mr. Donnelly. Well, they put up a fight on it, yes, but why shouldn't they? In the first place, it is like a salesman getting his foot in the door, you know. This gave them a chance, I mean, it give them a place to work, a concentration point, so as long as they could concentrate with the Negro people and give them support in the shop. they would give them the support at the ballot box and what have you. and they figure that as long as there had been segregation, the Negro

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people had been a depressed people, you know, that they could use this thing, by making them think they were friendly, you know, and they were doing things and like the Willie McGee case and the Rose Ingram case—I worked on both of them—and I believe with all my heart that if the party had left the Willie McGee case alone—I am not saying the guy wasn't guilty—but it was the extreme penalty that he received for the crime he was supposed to be guilty of—I mean, if it had been a white man, there was a big chance that he wouldn't have got the gas chamber.

Mr. DOYLE. Wasn't the Communist Party during your 4 or 5 years in it in the Flint-Detroit area friendly to the Negro in good faith or was that just a phony friendship?

Mr. DONNELLY. Well, you can draw your own conclusion there, sir.

Mr. DOYLE. Well, is my conclusion erroneous that I am drawing when I say, do I understand your testimony to be that the attitude of the Communist Party in Flint and Detroit at the time you were in it, which appeared to be actually friendly to the Negro, was not in fact friendly?

Mr. DONNELLY. Well, all I am doing is expressing my feeling, my personal feelings.

Mr. DOYLE. That is all I want.

Mr. DONNELLY. That the Negro people were necessary. I mean, if you are going to put over something as big as this is, you have to have backing, you know; a general without an army, well, he might just as well stay home. He has to have an army.

Well, what safer way, what quicker way, and what better way is there to get that army than to work on people that have been kicked around? So that is what they done.

Mr. DOYLE. In other words, they were using the American Negro.

Mr. DONNELLY. That is right. I mean, instead of trying to see this whole thing, it boils down to education of whites and Negroes alike. I mean, they have been looking down their nose at each other, you know, for years. This thing is something that shouldn't ever have been to begin with. We are all human, we are all of the human race.

Mr. DOYLE. One reason, Mr. Chairman, that I raise this question about the American Negro is that I am sure my colleagues know that in my great congressional district in Los Angeles County, I have the responsibility and I will say the honor of representing many thousands of the American Negroes, and they are grand people in my county; and all over the Nation, I am sure you will agree with me, we find that the Communist Party deliberately is using the American Negro as a tool.

Mr. DONNELLY. That is right.

Mr. CLARDY. But, Mr. Doyle, may I point out that the evidence presented before this committee demonstrates that they are probably having less success with that group than any other group in the country.

Mr. DONNELLY. That is right.

Mr. CLARDY. That and the foreign born are the most stubborn resistors to this ideology because they both realize the phony nature of the effort. Isn't that true?

Mr. DOYLE. That is true.

Mr. VELDE. May I say, Mr. Chairman, that the committee recently voted to issue a pamphlet which will probably be entitled, "The Amer-

know this, so don't quote me as any actual statement—but it is my understanding that local 600, that is the Ford local, that each one of those buildings had a union president, and each one of those presidents was a member of the party.

Mr. DOYLE. Member of what party?

Mr. DONNELLY. The Communist Party, and that this investigation that they had in Detroit, the word got out that this was Reuther's way of taking over—this investigation, he was supposed to be the guy behind it. I don't know whether he took any bows afterward or not, but Reuther was supposed to be behind this investigation in Detroit for the simple reason that he had the majority of the locals, the smaller locals, and some of the bigger locals, he had control of them, but there were two locals that he didn't have control of, and local 600 was one of them, and by having this investigation and bringing these people out, he weeded out the Communist element at local 600, and if I remember correctly, it wasn't long after that that they had an investigation here at Flint. It didn't get very big, in fact it didn't go anywhere, there wasn't anything came out of it, but the fact that this thing—the story went around then that Reuther's boys are in Flint, kind of "jump the gun," too fast on the heels of this investigation in Detroit—is why the thing in Flint here missed fire.

Mr. DOYLE. Well, all right. Now, let me ask you this point: You stated that a colonizer remains quiet for the probationary period of 90 days. The unions had no control after that.

Mr. DONNELLY. The unions—they had to fight for them after 90 days.

Mr. DOYLE. Mr. Chairman, I want to ask a question along that line because, as I heard this witness testify, and we have heard similar testimony in other places recently, it worries me no end to find that a bunch of commies can move from one part of our Nation to another deliberately to foster the Communist conspiracy and try to take over control of American unions, labor unions, and here apparently is one of those things, and the thing that worries me is, as I understand it, from this testimony today and before, all these colonizers representing the Communist Party had to do was to make a transfer of their residence in a phony manner from New York and other places to Flint and management employed them, not knowing they were commies, and apparently without the sort of screening that helped them to discover they were commies, and that was difficult, I know. That raises a point in my thinking, Mr. Chairman, of whether or not there shouldn't be more screening before these people are hired.

Mr. CLARDY. Mr. Doyle, may I remind you of something. It is pretty difficult sometimes because they can even arrange phony references as you heard testified to yesterday.

Mr. DOYLE. I know that, but at any rate—and I am not criticizing management, I am just thinking out loud—but my worry is when management hires these commies, then they are required as I understand it under agreement with the unions to make application for a union membership, and then they lay low and keep quiet, both in their plants and in unions, for 90 days, and then they are set. Is that what you meant when you referred to a 90-day probationary period?

Mr. DONNELLY. Yes, sir. The constitution states, as long as the Communist Party is not outlawed, they cannot—if a man gets fired

for Communist activities in the shop, or if he has any trouble, the union still has to represent him.

Mr. CLARDY. You are giving one of the best arguments in the world for the bill that I have introduced to outlaw the Communist Party. Go right ahead.

Mr. DONNELLY. I didn't know I was making a political speech, but——

Mr. DOYLE. What jobs of these colonizers that you have referred to as intellectuals from New York that came in about the same time within apparently a period of a very few months of one another, what jobs did they take, to your knowledge, in these plants or in the plant where you were working?

Mr. DONNELLY. Well, machine jobs, working on machines.

Mr. DOYLE. But the testimony is here that some of them were graduate civil enginneers with degrees.

Did or did not, to your personal knowledge, these colonizers, the Communist Party members that were known to you to be Communist Party members, do anything to try to take over control of the labor unions in this area, their leadership?

Mr. DONNELLY. Yes, there was a movement in that direction. We organized what was called the unity caucus of Buick.

Mr. DOYLE. The what?

Mr. DONNELLY. Unity caucus.

Mr. DOYLE. Who organized the unity caucus?

Mr. DONNELLY. Well, it was a brainchild of party members within the Buick local.

Mr. DOYLE. By "party members," you mean it was the brainchild of the Communist Party members?

Mr. DONNELLY. That is right.

Mr. DOYLE. Within the Buick local?

Mr. DONNELLY. That is right.

Mr. DOYLE. What did they do with their brainchild?

Mr. DONNELLY. Well, he didn't get very big, but they had a caucus—we had a caucus, I should say, of mostly party members. There were a few Negroes in it. Of course that is one of the things. They did that, in fact, on every election they had over there, if one of these slates that was running—by "slates" I mean these caucuses put out slates, like, you know, when you are running for Congress, you tell what you are going to do and what you are not going to do; well, they do the same thing. So every time anything like that, they usually print a leaflet on there that this slate lacked—this had only 1 or 2 Negroes on there or maybe only one on there and accused them of being anti-Negro and this, that, and the other thing.

Well, they couldn't do that with that caucus we had, this Unity Caucus, because there were quite a few Negroes on it, but most of these fellows were just guys that had been dragged in, but the steering committee, the guys that was really pushing this little thing along and running the show, it was strictly Communist Party.

Mr. DOYLE. In other words, the Communist Party in Flint and Buick that had the Buick local that you have referred to held caucuses preliminary to the voting by the union or union leadership, is that correct?

Mr. DONNELLY. That is right, yes.

Mr. DOYLE. And the Communist Party in the Buick local, therefore, holding preliminary caucuses, caucuses prior to the union elections so steered the union elections that they tried to get Communist Party members into union top positions of leadership, is that correct?

Mr. DONNELLY. Well, even if they didn't get clear to the top, they would be close enough so that they could control the top. That was the main thing. Now, like there was one fellow in this caucus. I have known him for years, and I would almost swear my life that he wasn't a Communist and never had been a Communist. I think they were running him for either president or financial secretary. Now I don't remember which, but here is the idea, if he would have got in, whether he was a party member or not, he would have still been controlled.

Mr. DOYLE. Then as I understand your testimony a minute ago, it was in these unity caucuses which were in fact Communist caucuses, but they invited into the caucus to make a show, a phony show, actually, several Negro employees of Buick.

Mr. DONNELLY. That is correct.

Mr. DOYLE. Now one more question. You said "we put out leaflets. They were put out by the party in the union's name." Do I understand that the Communist Party was so strong that during the time you were in it that the Communist Party leadership was printing the name of the union on leaflets which were in fact Communist Party leaflets?

Mr. DONNELLY. Perhaps I had better clarify that a little bit.

Mr. DOYLE. I wish you would.

Mr. DONNELLY. They weren't using any specific name but what I mean is, it carried the union bug, all their stuff carried the union bug, and it certainly didn't have Communist Party stamped in boxcar letters on it or any other kind of letters. I mean, it was to give the idea that it was put out by members of the union. Of course from time to time we have had different caucuses spring up. Over a period of years there have been different fellows in there who have branched off in this caucus and tried to start one of their own. Like a member of one church branching off and starting another denomination because he don't believe in what the church he is going to believes in. It is a whole lot on that order, but I mean, they weren't doing this, like they got a rank and file caucus there at Buick, but they wouldn't do this in the name of rank and file. They wouldn't do it in the name of Progressives for Action, but nevertheless it carried the union stamp and anyone looking at it would figure, you know, it was right from the horse's mouth.

Mr. DOYLE. Mr. Chairman, because I have taken so much time of the committee and of this witness, more time than I have taken with any other witness, may I have the record show and have this group who are hearing this discussion understand, that I have never met with this witness before in my life, have I, witness?

Mr. DONNELLY. No, sir.

Mr. DOYLE. We have never talked about what your testimony would be or my questions would be, have we?

Mr. DONNELLY. I never saw you, sir.

Mr. DOYLE. I thought the record should show that. There was no communication of any kind prior to this discussion on the witness stand between this witness and myself.

Thank you very much.

Mr. CLARDY. That is true for all three of the members of the subcommittee, is it not, witness?

Mr. DONNELLY. Yes, sir.

Mr. DOYLE. In other words, I didn't know what the answers of this witness would be to these questions.

Mr. CLARDY. Witness, you have heard from the other two members of this subcommittee an expression of our appreciation of what you have done for your Government, for your country. May I add to it the fact that this committee, of which Mr. Velde is the chairman—I am speaking of the whole committee—has had before it a considerable number of cooperative witnesses who have added much to the necessary knowledge your Congress must possess if it is to legislate intelligently.

You have added a tremendous volume of worthwhile knowledge to our already bulging storehouse. But addressing myself to you and to those with whom you work, may I remind them as well as you that a basic concept of the Christian religion is forgiveness. You have demonstrated, sir, by the fact that you have appeared here today that you realized full well the intellectual errors into which you fell. You, in my opinion, have more than atoned for that mistake, and knowing the American people and the American workmen as I do, and knowing from experience with other witnesses who, like yourself, have been members of the party and come forward and helped this committee, knowing all those things, I am very sure that you will find in the hearts of your fellow workers, the kind of Christian forgiveness that you deserve. May I tell you in one last word of encouragement that on many occasions witnesses like yourself, who have appeared have gone back to their plants and to their shops and to their homes and to their neighbors and found complete understanding and complete forgiveness. I am sure that will be the case in this instance because I think I know some of the people in this community well enough to have faith in their reactions. I am certain that from here on out this committee, representing, as it does, the greatest government on earth, will do all within its power to see that justice is done in your case. I thank you most deeply.

Mr. DONNELLY. I thank you.

Mr. CLARDY. Witness excused.

Before you call your next witness, Mr. Tavenner, a very odd communication comes to my attention. It is odd in the sense that the person involved should be involved. It seems that in identifying and then calling forward the witness yesterday by the name of Dean, some little confusion has arisen, and I am reminded by my very good friend and the new Federal Judge, Ralph Freeman, of the fact that in his firm there is a gentleman by the name of Rees Dean, who apparently has in the minds of a few been confused with the Dean who appeared on the stand. I have been given the address of the two gentlemen, and I shall read it into the record so that anyone in this community who has any doubt about the identity of the Dean who took the stand yesterday will have that doubt dispelled.

Rees Dean is an attorney at 614 Citizens Bank Building, and his residence is 807 Fremont. Max Dean, who appeared here, has an address of G-5046 North Saginaw and a residence of G-4462—it looks like Winters Drive. At any rate, it is not on Fremont Street. I hope that there will be no further confusion of the Deans in this case.

Now call your next witness.

Mr. TAVENNER. Mr. Sherwood Baumkel, please.

Mr. CLARDY. You may be seated, witness. You have already been sworn.

Mr. TAVENNER. You were sworn a few moments ago and gave us your name as Sherwood Baumkel, I believe?

(At this point Mr. Baumkel conferred with Mr. Newblatt.)

TESTIMONY OF SHERWOOD (JERRY) BAUMKEL, ACCOMPANIED BY HIS COUNSEL, HARRY NEWBLATT—Resumed

Mr. BAUMKEL. I request that while I was testifying no pictures shall be taken.

Mr. CLARDY. Proceed.

Mr. BAUMKEL. Was that right granted me?

Mr. CLARDY. I said to Mr. Tavenner to proceed.

Mr. BAUMKEL. Would you repeat the question, please?

Mr. TAVENNER. You were sworn a few moments ago and identified yourself as Sherwood Baumkel, did you not?

Mr. BAUMKEL. That is correct.

Mr. TAVENNER. Sherwood Baumkel.

Mr. BAUMKEL. That is correct.

Mr. TAVENNER. Are you acquainted with Herbert Donnelly, the person who identified you as Jerry?

(At this point Mr. Baumkel conferred with Mr. Newblatt.)

Mr. TAVENNER. While you were called before the committee.

Mr. BAUMKEL. I decline to answer on the basis—in good and clear conscience I decline to answer on the basis of the fifth amendment, and I have other grounds which I would like to state for my refusal to answer.

Mr. CLARDY. Proceed.

Mr. BAUMKEL. I feel that under the first amendment to our Constitution, which guarantees freedom of press and speech, it also entitles me to privacy of mind and conscience which I hold as sacred as the privacy of a ballot box. I also feel that the tactics and these questions violate my rights under the eighth amendment which deals with cruel and unjust punishment. Three days prior to my scheduled appearance here this committee, based on disclosures of this committee, issued my name, my wife's name, appeared in the papers as Communist colonizers from the East.

Mr. CLARDY. May I correct you there, witness? The committee made no release, made no statement, and every reporter present here will tell you that when the information was requested as to the names of persons subpenaed, my answer was a flat refusal. I am not responsible, and the committee is not responsible for any revelation. You must have, in some incautious moment, have done that yourself.

Mr. VELDE. Let me ask you, Are you a Communist colonizer from the East?

(At this point Mr. Baumkel conferred with Mr. Newblatt.)

Mr. BAUMKEL. I didn't finish stating my reasons for——

Mr. CLARDY. You will be permitted to do that the moment you answer Chairman Velde's question.

(At this point Mr. Baumkel conferred with Mr. Newblatt.)

Mr. BAUMKEL. I decline to answer that question on the basis of the fifth amendment.

Mr. CLARDY. Very well. Now proceed with the statement of the other ground.

Mr. BAUMKEL. In the papers three days prior to my scheduled appearance here, I was called a Communist colonizer from the East, that is a violation of all due process and that my appearance here is supposed to be—I am supposed to be presumed innocent of anything until proven guilty of something, and the tactics this committee utilizes incites to mob violence and also threatens my home and my family, and on those bases, including the 6th and the 14th amendment, which deals with due process, I feel this is a legislative committee and has no right to arrogate judicial rights while denying me all judicial rights. This committee denies me all judicial rights and abrogates to itself full judicial rights. I refuse to answer on those bases that question.

Mr. CLARDY. Before you proceed, Mr.——

Mr. BAUMKEL. I primarily invoke the fifth amendment.

Mr. CLARDY. Before you proceed, Mr. Tavenner, I want to make a couple of observations first. This is not a court, despite the statement that you made, and we are not trying anyone, but the other thing is this: There appeared in the Detroit Free Press on Monday, May 3, the day we started the hearings, a number of advertisements. I only happen to have one of them here, and I find that the person who signed it included a great number—not your name—in this particular one, but a great number of those who have appeared here, for instance, the name of Max Trachtenberg, both of the Borods—not Max Trachtenberg. I am in error there. Max Trachtenberg who had been under subpena and the brother of the one who was subpenaed—Jack White, Barry Blassingame, who is under subpena, and then a whole host of those who were before us at either Detroit or Lansing. I call attention to the fact that in this ad they, themselves, make it public knowledge that they have been subpenaed, and so I want to ask you, did you join in any of the ads of that kind that a number of the people who were under subpena have had appear in the newspapers ?

(At this point Mr. Baumkel conferred with Mr. Newblatt.)

Mr. BAUMKEL. Could you be a little more specific? That question is very vague. Is that in reference to that specific ad?

Mr. CLARDY. I called your attention to the specific ad and I made it clear that your name was not listed, but the names of a great many others who have been subpenaed, most of whom have already appeared before us, did put this ad in the paper. Now, my question was, Did you put a similar ad attacking the committee and listing your name into any newspaper? This appeared on the morning of the day and before we started our hearing.

Mr. BAUMKEL. I did not.

Mr. CLARDY. You did not. Did you issue any statements, or did you reply to any questions propounded to you by the press?

(At this point Mr. Baumkel conferred with Mr. Newblatt.)

Mr. BAUMKEL. The press never approached me.

Mr. CLARDY. Did you make any statement that appeared in any of the papers published by the labor unions or any of the papers published by the Communist Party?

(At this point Mr. Baumkel conferred with Mr. Newblatt.)

Mr. BAUMKEL. Would you separate that question, labor unions and Communist Party?

Mr. CLARDY. No: I will let the question stand, because I am trying to save a little time.

(Representative Harold H. Velde left the hearing room at this point.)

Mr. CLARDY. You can answer it in two parts if you want.

Mr. BAUMKEL. Are you tying in the union with the Communist Party?

Mr. CLARDY. I say you may answer it in two parts if you want.

Mr. BAUMKEL. Would you repeat that question once more, please?

Mr. CLARDY. I will rephrase it and make it even broader. Have you joined in any statement or have you issued any statement or have you talked to any representative of any newspaper, whether it be the Detroit papers, the Flint papers, the Lansing papers, the union papers, the Communist papers, or any other kind?

(At this point Mr. Baumkel conferred with Mr. Newblatt.)

Mr. BAUMKEL. Do you mean that question to understand that I contacted any newspapermen or any nature of that sort and issued a statement?

Mr. CLARDY. Oh, Witness, I think you understand, but I will explain it to you.

You made the very wild charge that this committee had issued a statement of some kind identifying you as one under subpena. That isn't true because we haven't done so. Now, I am trying to find out whether, by any means, you have been responsible for letting the public know that you were under subpena, so I am patiently trying to discover whether you talked to or were talked to by anybody from the press, the radio, television, what have you.

Mr. DOYLE. In other words, Mr. Chairman, to help the witness, we have here this newspaper ad with the big heading, "Who's un-American?" and on the bottom of that is the printed names, I presume they were authorized by these people, of some of the people who were subpenaed.

Mr. CLARDY. Nineteen of them, to be exact.

Mr. BAUMKEL. So, I didn't tell any newspaper, press, or television that I was a college graduate that came here to colonize.

Mr. CLARDY. Did you tell anybody anything about the fact that you were under subpena?

Mr. BAUMKEL. No. I did not discuss with the radio, press, or television my subpena.

Mr. CLARDY. Did you tell anybody?

Mr. BAUMKEL. Yes, I told somebody that I was subpenaed.

Mr. CLARDY. Very well. Proceed, Mr. Tavenner.

Mr. TAVENNER. Mr. Chairman, I think in light of the discussion, it might be well for the record to disclose that at the time that there appeared in the press in Detroit the names of nearly all of the witnesses who turned out to take refuge under the fifth amendment, that members of the press called me as a representative of the committee at the time in Detroit, and I would not even verify the fact that these persons had been subpenaed. Any information that was in the press in regard to it was information which emanated from those who had

been subpenaed and did not emanate from this committee, and that has been the standing rule of this committee.

Mr. CLARDY. It is. It has been an unofficial rule. There is nothing wrong in it, we have a perfect right to do it, but in an excess of caution we have leaned over backward and not released any information about it, but unfortunately, a great many of those who have been called before us, not only here, but everywhere, rush into the press with the general idea apparently that they can, by blasting statements, somehow or other arouse public indignation against the committee.

Now, you say you talked to someone, and that is as far as it went; we will let the matter rest.

Mr. BAUMKEL. Mr. Chairman, since strong inferences have been placed on educational background, I feel that you should interrogate my educational background since I have never been to a university.

Mr. CLARDY. We will get to the whole——

Mr. BAUMKEL. Or anything of this sort of which I am supposed to have had a degree or college training and intelligentsia.

Mr. CLARDY. Just be patient, Witness.

Mr. BAUMKEL. I mean these are strong inferences that have been made and people approach me and ask me did I ever go to college and I have to tell them "No," I had a year of high school, and a year and a half of high school.

Mr. CLARDY. Very well. Save your ammunition until counsel has propounded——

Mr. BAUMKEL. I don't want to be confused with intelligentsia. You have made a strong accusation. People approach me and ask me if I read Shakespeare and things of that sort. I want to make it clear that I am not a member of the intelligentsia because the closest I came to a university was to watch a football game, and I enjoyed it. That is as close as I ever came to—to that.

Mr. CLARDY. I say you make it very clear, but it is not yet a crime in America to have a college education, I hope.

Proceed, Mr. Tavenner.

Mr. TAVENNER. Will you tell the committee, please, when and where you were born?

Mr. BAUMKEL. I was born in a hospital in New York City.

Mr. TAVENNER. When?

Mr. BAUMKEL. In 1926, July 24.

Mr. TAVENNER. What is your occupation?

Mr. BAUMKEL. I am presently—do you mean what I am doing?

Mr. TAVENNER. Yes.

Mr. BAUMKEL. Do you want where I work, my place of work?

Mr. TAVENNER. Yes.

Mr. BAUMKEL. You want to know where I am employed?

Mr. TAVENNER. Yes.

Mr. BAUMKEL. I will be glad to say I am employed at the Buick Motor Car Division. I work in production, dealing with cases. I inspect them, I inspect cases; I guess you would call it an occupation. My occupation is inspecting cases.

Mr. TAVENNER. How long have you been working at that employment at Buick?

Mr. BAUMKEL. I have been working at Buick approximately 5 years.

Mr. TAVENNER. Where do you reside?

Mr. BAUMKEL. My place of address?

Mr. TAVENNER. Yes.

Mr. BAUMKEL. I would prefer to put that in writing. I would much prefer to put that in writing because the tactics demonstrated here are incitements to mob violence. This pat on the back stuff——

Mr. CLARDY. Witness, that will be enough.

(Representative Harold H. Velde returned to the hearing room at this point.)

Mr. CLARDY. Give the answer to the question, What is your address?

Mr. BAUMKEL. I request to put it in writing.

Mr. CLARDY. You will recite it aloud. You are so directed by the Chair.

Mr. BAUMKEL. I live at 3106 Charity Street.

Mr. CLARDY. Proceed, Mr. Tavenner.

Mr. TAVENNER. You stated that you were employed at the Buick plant about 5 years ago. What month of the year was it and what year?

Mr. BAUMKEL. What month of the year I was employed?

Mr. TAVENNER. Yes.

Mr. BAUMKEL. I began my employment, sir——

Mr. TAVENNER. Yes. At Buick?

Mr. BAUMKEL. As far as I can recollect, I began my employment, sir, in July of 1949.

Mr. TAVENNER. Had you lived in Flint prior to July 1949?

Mr. BAUMKEL. No, I never lived in Flint prior to—I think you said July 1949, to the best of my recollection.

Mr. TAVENNER. Where did you live prior to coming to Flint?

Mr. BAUMKEL. I came to Flint from my birthplace, New York City.

Mr. TAVENNER. What was the approximate date of your arrival in Flint from New York City?

Mr. BAUMKEL. Approximate. It was sometime—I think it was about the middle, around the middle of July of 1949.

Mr. TAVENNER. How were you employed in New York immediately prior to your coming to Flint?

Mr. BAUMKEL. I have been working since the age of 14 years old in many various——

Mr. TAVENNER. My question related to the time in 1949 just prior to your coming to Flint.

Mr. BAUMKEL. Just prior to my coming here I was one of the unfortunate unemployed workers drawing unemployment compensation, $20 a week.

Mr. TAVENNER. What was the last employment you had prior to coming to Flint in July 1949?

(At this point Mr. Baumkel conferred with Mr. Newblatt.)

Mr. BAUMKEL. I have worked at about 10 different jobs——

Mr. TAVENNER. Just the last one.

Mr. BAUMKEL. The last one prior to working here?

Mr. TAVENNER. Yes, sir.

Mr. BAUMKEL. I worked for William Shalnd Corp.

Mr. TAVENNER. What is that?

Mr. BAUMKEL. William Shalnd, I think, Corp.

Mr. TAVENNER. Will you spell the name, please? I didn't understand it.

Mr. BAUMKEL. I couldn't guarantee the spelling.

Mr. TAVENNER. Well, as correctly as you can.

Mr. BAUMKEL. It is 6 years ago. S-h-l-a-d, something like that, S-h-a-l-n-d.

Mr. TAVENNER. And the first name is William?

Mr. BAUMKEL. William.

Mr. TAVENNER. What type of employment did you have there with that company?

Mr. BAUMKEL. Well, I was with that firm part time after school, when I went to high school. I was with them from cleaning latrines to shipping clerk to salesman, pushing a truck. I have worked many jobs with that concern. I did janitor work, shipping clerk work, selling work.

Mr. TAVENNER. Where was the firm located, its place of business?

Mr. BAUMKEL. New York City.

Mr. TAVENNER. That was the last employment you had before coming to Flint?

Mr. BAUMKEL. That is right.

Mr. TAVENNER. What was the date that that employment began and ended?

Mr. BAUMKEL. You mean the approximate, don't you?

Mr. TAVENNER. Approximate, yes.

Mr. BAUMKEL. This is going to be pretty rough because it traces back to after school part-time work which goes back—

Mr. TAVENNER. Let it——

Mr. BAUMKEL. It goes back for 10 years.

Mr. TAVENNER. Let us begin at the time—you said it was the last employment you had before coming to New York. When did that employment end?

Mr. BAUMKEL. It terminated sometime in 1949.

Mr. TAVENNER. You came here in July 1949. Did it terminate earlier than May 1949, would you say; try to give us the best information——

Mr. BAUMKEL. I think that May would be a close approximation. I wouldn't define it as exact. I think that would be very close, sir.

Mr. TAVENNER. Had you worked for them during the year 1948?

Mr. BAUMKEL. I did work for that firm in 1948.

Mr. TAVENNER. Continuously during that year 1948?

Mr. BAUMKEL. As far as I can recollect, I worked pretty consistently during 1948 for that firm.

Mr. TAVENNER. And during the year 1947 also?

Mr. BAUMKEL. Well, as far as I can recollect now, I got out of the Army in 1946, and I don't know if I was physically well enough to go back to work—I don't know if it was 1947. I think I started in 1948, and I think I took a long time between getting out of the service and getting back to work as I had lost a lot of weight, felt undernourished and so forth.

Mr. TAVENNER. This was the only employment you had then between the time that you left the service and the time that you took the employment here in Flint?

Mr. BAUMKEL. That is right.

Mr. TAVENNER. How long were you in the armed services?

Mr. BAUMKEL. Approximately 24 months, I think, 2 years.

Mr. TAVENNER. What branch of the service were you in?

Mr. BAUMKEL. Army.

Mr. TAVENNER. Did you have service overseas?

Mr. BAUMKEL. I think I had about 18 months overseas' service, yes; about 18 months.

Mr. TAVENNER. I hand you a photostatic copy of your application for employment at Flint, Mich., bearing date of July 25, 1949, and ask you to look at the bottom of the second page and state whether or not the name appearing there is your signature. This is a photostatic copy of the record.

(At this point Mr. Baumkel conferred with Mr. Newblatt.)

Mr. BAUMKEL. Would you repeat your question, please?

Mr. TAVENNER. Will you examine the signature at the bottom of the second page and state whether or not it is yours?

Mr. BAUMKEL. I refuse on the previous grounds, primarily the fifth, to answer the question.

Mr. TAVENNER. What is the name appearing at the bottom of the application on the second page?

Mr. BAUMKEL. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Will you hand me the document, please?

Mr. DOYLE. Mr. Chairman, I move the witness be directed to answer that question. It is entirely reasonable, and the witness has shown he can read.

Mr. CLARDY. I so direct.

(At this point Mr. Baumkel conferred with Mr. Newblatt.)

Mr. BAUMKEL. I refuse to answer on the basis previously stated.

Mr. TAVENNER. I desire to introduce the document into evidence and ask that it be marked "Baumkel Exhibit No. 1."

Is it so admitted?

Mr. CLARDY. It will be admitted.

(Photostatic copy of application for employment dated July 25, 1949, above referred to, marked "Baumkel Exhibit No. 1" was received in evidence.) [1]

Mr. TAVENNER. Mr. Baumkel, did you examine, when the document was shown to you, the record of employment appearing on this document? If not, will you look at it again?

(At this point Mr. Baumkel conferred with Mr. Newblatt.)

Mr. BAUMKEL. I refuse to answer the question on the previous grounds.

Mr. CLARDY. I direct that you answer that question.

Mr. TAVENNER. I do not believe there was a question. I asked him to look at it.

Mr. CLARDY. You asked him to look at it and read it, I understood.

Mr. BAUMKEL. I think you gentlemen ought to get together.

Mr. CLARDY. Never mind, Witness.

Mr. BAUMKEL. Would you repeat the question?

Mr. CLARDY. Proceed, Mr. Tavenner.

Mr. TAVENNER. I will give you a question: Were you employed by Angel's Poultry Products Co. at Detroit between 1947 and 1949?

Mr. BAUMKEL. Angel's Poultry Market in Detroit?

Mr. TAVENNER. Look at the document and see the exact name. What is the name appearing——

Mr. BAUMKEL. I have never been, to the best of my memory, never been associated with anything having to do with chickens. I have never had anything to do with chickens in my life to the best of my memory.

[1] Retained in committee files.

Mr. CLARDY. Very well. You have answered the question.

Mr. BAUMKEL. I didn't answer that question. As far as I know, I had nothing to do with chickens.

Mr. TAVENNER. I asked you if you had ever been employed by the company whose name appears on that document as Angel's Poultry at Detroit, Mich.

Mr. BAUMKEL. You want to know if I was ever employed by Angel's Poultry Market?

Mr. TAVENNER. Answer the question, please. You certainly know what my question was.

(At this point Mr. Baumkel conferred with Mr. Newblatt.)

Mr. BAUMKEL. No, I was never employed by Angel's Poultry Market in Detroit.

Mr. TAVENNER. May I read the document. Mr. Chairman, I desire to read into evidence that part of the document relating to the record of employment of Sherwood Baumkel as shown by Exhibit Baumkel No. 1. I am unable to make out the month of the year. It appears to be February 1947 to June 5, 1949. That is under "date of employment."

"Name and addresses of employers," under that title, "Angel's Poultry, 11932 West Jefferson, Detroit, Mich."

"Duties performed, clerk." I understood you to say that you had never been employed by that company, is that correct, that you were never employed by that company?

Mr. BAUMKEL. I believe that was my answer.

Mr. TAVENNER. Did you live in the city of Detroit at any time between 1947 and 1949?

Mr. BAUMKEL. I have never lived in Detroit.

Mr. TAVENNER. Mr. Chairman, I desire also to read in evidence the entry under the title "Your last two previous addresses" as appears on the document, exhibit No. 1.

Mr. CLARDY. Proceed.

Mr. TAVENNER. "1. 19508 Greenfield, Detroit, from 1946 to 1949; reason for moving, loss of job." Did you make the entries, that entry, of a former address appearing on document exhibit No. 1?

Mr. BAUMKEL. I refuse to answer your question on the previous grounds.

Mr. TAVENNER. Did you make the entry of former employer of yours, Angel's Poultry at Detroit, Mich.

Mr. BAUMKEL. I refuse to answer the question on the previous grounds.

Mr. DOYLE. Counsel, I didn't understand of what original document this was a photostat.

Mr. TAVENNER. It is the application for employment at Flint, Mich., to the Buick Motor Co.

Mr. DOYLE. Whose application?

Mr. TAVENNER. I have endeavored to show that the applicant's name as signed to the document was Sherwood Baumkel, this witness.

Mr. CLARDY. What you hold is a photostatic copy of the original application on file with the company?

Mr. TAVENNER. That is right, sir.

Now, do you recall the names of the persons you gave as references to the Buick Co. when you sought employment there?

(At this point Mr. Baumkel conferred with Mr. Newblatt.)

Mr. BAUMKEL. I refuse to answer on the grounds previously stated.

Mr. TAVENNER. Mr. Chairman, I desire to read in evidence the personal references stated on the witness' application.

Mr. CLARDY. Proceed.

Mr. TAVENNER. "Name, Robert Gould, 19508 Greenfield; occupation, salesman; years known, two." Did you give Robert Gould as a reference?

Mr. BAUMKEL. I refuse to answer on the previous grounds.

Mr. TAVENNER. Had you known Robert Gould for a period of two years?

Mr. BAUMKEL. This is a violation—I am not going to discuss with this committee or any committee my associations, who I know, names of individuals since you are trying to connect me with a conspiracy to come here to do certain conspiratorial work. I am not going to discuss any or divulge any names to this committee, and I refuse to answer on the previous grounds.

Mr. DOYLE. Counsel, does that photostat show what city Mr. Gould——

Mr. TAVENNER. No, sir, but the same address appears as the address of the witness, Sherwood Baumkel, in an earlier part of the application. The address that I read out from the document of the witness, Sherwood Baumkel, was 19508 Greenfield, Detroit; where it is put in under the personal references, Detroit is left off, but otherwise it is the same address.

Mr. DOYLE. Didn't I understand this witness testified he never lived in Detroit?

Mr. TAVENNER. Yes, sir.

I will now read the second personal reference as appears on the document: "Al Millstein; address, 7531 McKinstry; occupation, auto worker; years known, three." Did you give Al Milstein as a reference when you sought employment with Buick?

Mr. BAUMKEL. I thought I made it clear, I am not going to testify concerning people I know. I am not going to become another stool pigeon.

Mr. TAVENNER. Did you know Al Milstein for a period of three years prior to the time that you made the application?

Mr. BAUMKEL. I refuse to answer the question on the previous grounds.

Mr. CLARDY. Mr. Tavenner, I desire to recess at this time, but will you suspend, unless you have about one more question?

Mr. TAVENNER. I believe in just a moment or two it would be a good breathing point.

Mr. CLARDY. Make it short because we will have this witness recalled anyway.

Mr. TAVENNER. Is it not a fact, Mr. Baumkel, that you gave erroneous information to the management of Buick regarding your previous occupation and your previous address in order to mislead them in material matters involving your employment?

Mr. BAUMKEL. I refuse to answer on the previous grounds.

Mr. TAVENNER. Isn't it a fact that you gave Angel's Poultry in Detroit as a place where you had been employed from 1947 to 1949 and your places of residence in Detroit from 1946 to 1949 in order

to make the Buick management believe that you lived in a nearby community?

Mr. BAUMKEL. I can't be responsible for the inferences you draw, sir. You can draw any inferences you want. I didn't say that. You said that. That is an inference.

Mr. CLARDY. I direct you to answer the question.

Mr. BAUMKEL. What is the question, not the inference. What is the question?

Mr. CLARDY. You understand it. Answer it.

Mr. BAUMKEL. Would you repeat the question, please?

Mr. TAVENNER. Would you read it?

(The question was read by the reporter as follows:)

Isn't it a fact that you gave Angel's Poultry in Detroit as a place where you had been employed from 1947 to 1949 and your places of residence in Detroit from 1946 to 1949 in order to make the Buick management believe that you lived in a nearby community?

Mr. BAUMKEL. I refuse to answer on the previous grounds.

Mr. DOYLE. Mr. Chairman, may I suggest that you, in view of the witness' statement that he never lived in Detroit and that the face of this photostat of the original document shows to the contrary, that the witness ought to be given an opportunity to show whether or not it is his signature on the bottom of that photostat.

Mr. TAVENNER. I have asked him that question 2 or 3 times.

Mr. DOYLE. Well, someone——

Mr. TAVENNER. I will be very glad to hand it to him again.

Mr. CLARDY. Let us suspend at this time and give him the noontime to ponder over this.

Mr. TAVENNER. May I ask one more question?

Mr. CLARDY. One more. You remind me of these photographers—just one more picture. Go ahead.

Mr. TAVENNER. Isn't it true that you concealed the fact that you lived and worked in the city of New York in order that the Buick establishment could not check your previous history?

Mr. BAUMKEL. I decline to answer on the previous grounds.

Mr. CLARDY. Very well. We will recess until 2 o'clock.

(Whereupon, at 12:35 p. m., the hearing was recessed, to reconvene at 2 p. m. of the same day.)

AFTERNOON SESSION

(At the hour of 2:14 p. m. of the same day, the proceedings were resumed, Representative Harold H. Velde, Kit Clardy, and Clyde Doyle being present.)

Mr. CLARDY. The committee will be in session. Will the witness return to the chair. I think we should apologize for starting late, but Flint has grown so rapidly and reached such size that your traffic is quite a problem. A couple of members couldn't make it back. They almost had to walk.

Proceed, Mr. Tavenner.

Mr. TAVENNER. Mr. Baumkel, did you become a member of the Buick group of the Communist Party at any time while employed by Buick since 1949?

TESTIMONY OF SHERWOOD BAUMKEL, ACCOMPANIED BY HIS COUNSEL, HARRY NEWBLATT—Resumed

Mr. BAUMKEL. That question is part of a pattern—this question, I feel, is part of a pattern to establish my connection with some conspiracy, on the testimony of a General Motors stool pigeon, and I refuse to answer that——

Mr. CLARDY. I can't hear you, witness. Your voice or the mike or something is wrong. Will you speak a little louder?

Mr. BAUMKEL. I feel that question is part of a pattern to implicate me in some kind of conspiracy on the testimony of a General Motors stool pigeon, and I refuse to answer on the fifth amendment.

Mr. DOYLE. As I understand, the general meaning of stool pigeon, it is someone who is accused of telling his enemies the truth about someone else. We are asking you to tell it about yourself. That wouldn't make you a stool pigeon.

Mr. BAUMKEL. I have to use the fifth amendment.

Mr. CLARDY. Proceed, Mr. Tavenner.

Mr. TAVENNER. Did you attend a meeting near the middle of September 1949 at a farm near Columbiaville composed of members of the youth group of the Communist Party?

Mr. BAUMKEL. I refuse to answer that on the previous grounds.

Mr. TAVENNER. Were you assigned by the Communist Party about that time; that is, about the middle of September 1949 to work with and in the organization known as the Labor Youth League?

Mr. BAUMKEL. I refuse to answer that question on the previous grounds.

Mr. CLARDY. Speak a little louder, please.

If it would not strain your voice.

Mr. BAUMKEL. It would strain—I am trying to——

Mr. CLARDY. All right. Do your best. I don't want you to hurt yourself.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. BAUMKEL. All these questions, that you are asking me now are designed to tie me in with some kind of conspiracy, and any kind of answer I could give or any answer I would give, if it was contradicted on the basis of the accusations made, it could leave me open to sentence or prison or jail, to leave me open for persecution and prosecution. I invoke the private—I have to invoke the privileges of the fifth amendment.

Mr. TAVENNER. And do you invoke them?

Mr. BAUMKEL. I do invoke the privileges as previously stated.

Mr. TAVENNER. Have you ever been a member of the Communist Party?

Mr. BAUMKEL. You are asking me the same questions in different forms over and over and over.

Mr. TAVENNER. I have no further—excuse me.

Mr. BAUMKEL. On the same grounds.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. CLARDY. Any questions, Mr. Velde?

Mr. VELDE. No, I have no questions.

Mr. CLARDY. Mr. Doyle?

Mr. DOYLE. I think I have no questions, but I think I have to mention again that which I did yesterday. I am sure the committee recog-

nizes the professional obligation or any ethical obligation of any ethical and square-shooting member of the bar to always be willing to appear before this committee on representation and constitutional rights of the client, so I again call that to the attention of the folks here because as a member of the bar myself I know that some members of the bar sometimes are criticized for appearing before this committee, and I am sure this committee wants the members of the Michigan bar and the American bar to know we compliment members of the bar for coming professionally, ethically, and performing their duty. That doesn't mean going outside their duty, but performing their duty.

Mr. CLARDY. Thank you, Mr. Doyle. That was stated, I think, on at least two occasions by the Chair when counsel now representing this witness was in the hearing room, but it doesn't hurt to repeat it again.

Witness dismissed. Call your next witness.

Mr. TAVENNER. Mr. William Van der Does.

Mr. CLARDY. Hold up your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. VAN DER DOES. I do.

Mr. CLARDY. You may be seated. Counsel will identify himself.

Mr. NEWBLATT. Harry Newblatt.

Mr. TAVENNER. What is your name, please, sir?

TESTIMONY OF WILLIAM C. VAN DER DOES, ACCOMPANIED BY HIS COUNSEL, HARRY NEWBLATT

Mr. VAN DER DOES. My name is William C. Van der Does.

Mr. TAVENNER. When and where were you born, Mr. Van der Does?

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. VAN DER DOES. I was born in New York City on April 16, 1925. At a young age I moved to a farm out State and grew up in and near in a long series of towns in New York State.

Mr. TAVENNER. You said in and near. Did you start to identify some place?

Mr. VAN DER DOES. I say in and near a long series of towns in New York State.

Mr. TAVENNER. What part of New York State?

Mr. VAN DER DOES. Do you know where Rockland County is?

Mr. TAVENNER. No.

Mr. CLARDY. The Chair does, so go ahead.

Mr. VAN DER DOES. Will you tell him where it is?

Mr. CLARDY. No, we will let you answer it, but I happen to know where it is.

Mr. VAN DER DOES. I think it is in the—I would say the southeast portion of the State.

Mr. TAVENNER. Very well.

Mr. CLARDY. It isn't too far from the largest city in the United States.

Mr. VAN DER DOES. Great metropolis.

Mr. TAVENNER. What education did you receive?

Mr. VAN DER DOES. My educational background includes going to a great number of public schools, graduating from high school and graduating from City College of New York.

Mr. TAVENNER. When did you graduate from City College of New York?

Mr. VAN DER DOES. In 1949.

Mr. TAVENNER. And in what subject did you major?

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. VAN DER DOES. I received a degree in social science.

Mr. TAVENNER. Social science?

Mr. VAN DER DOES. Yes.

Mr. TAVENNER. What time of the year was it that you received your degree?

Mr. VAN DER DOES. It was in the early summer, I guess, spring, late spring. It was in early summer.

Mr. TAVENNER. What employment did you have after completion of your work at City College.

Mr. VAN DER DOES. I worked for Fisher Body. I worked for Fisher Body.

Mr. TAVENNER. Where?

Mr. VAN DER DOES. In Flint.

Mr. TAVENNER. That was the first position which you obtained—the first employment you obtained after completion of your collegiate work?

Mr. VAN DER DOES. The employment—I don't remember the specific dates of when I—my employment before Fisher Body was terminated, but the employment that I had may have been concluded after I graduated from school.

Mr. TAVENNER. Do I understand that the employment at Fisher Body was the first employment you had after completion of your college work?

Mr. VAN DER DOES. The first new employment?

Mr. TAVENNER. Well, let's start over.

Mr. VAN DER DOES. O. K.

Mr. TAVENNER. How were you employed immediately after the completion of your collegiate work at City College?

Mr. VAN DER DOES. As I said, I cannot remember exactly, but I was employed in a restaurant during the period possibly after I had graduated from school. I cannot say which one entered first.

Mr. TAVENNER. Where was the restaurant located, in the city of New York?

Mr. VAN DER DOES. Yes.

Mr. TAVENNER. How long did you remain employed there after the completion of your work at City College?

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. VAN DER DOES. Repeat the question, please.

Mr. TAVENNER. How long did you remain employed at the restaurant after the completion of your work at City College, if you were employed for any period of time?

Mr. VAN DER DOES. If you have—see, now, I can't remember. I will tell you frankly.

Mr. TAVENNER. Then give us your best judgment and recollection.

Mr. VAN DER DOES. And maybe it was a week, maybe 2 weeks, maybe it was a day, maybe I quit there before I graduated from college, I will say that. Now, if you can clarify the situation, I wish you would.

Mr. TAVENNER. Well, I think you are clarifying it. Did you have any employment between the time that you finished your work at the restaurant and the time that you were employed at Fisher Body?

Mr. VAN DER DOES. Not that I can remember.

Mr. TAVENNER. When did you come to Flint?

Mr. VAN DER DOES. In the summer of 1949, early August, I would say, would be most accurate.

Mr. TAVENNER. What type of work did you do when you were employed at Flint?

Mr. VAN DER DOES. By the Fisher Body?

Mr. TAVENNER. By Fisher Body.

Mr. VAN DER DOES. I am a trimmer now, I spud headliners.

Mr. TAVENNER. What were you doing when you were first employed? What was the nature of your work?

Mr. VAN DER DOES. I wired headliners.

Mr. CLARDY. Do you understand him, counsel?

Mr. TAVENNER. No, I am not familiar——

Mr. CLARDY. Well, I do, but perhaps you had better have him explain. He is explaining the particular job that he has or has had, the series of them in the putting together of the body, the headliners and the wiring that goes underneath it. Witness, would you explain for him, because Mr. Tavenner is a Virginia resident, and I think his first trip through an assembly line has been since he came here, so would you help him out a little?

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. VAN DER DOES. I think it would be an education for Mr. Tavenner to get in and spud a headliner.

Mr. CLARDY. It would be for anybody.

Mr. TAVENNER. I took my first course in it last night.

Mr. VAN DER DOES. If you got the time, I got the time.

Mr. CLARDY. Just give him a brief explanation.

Mr. VAN DER DOES. You see, when you get inside the car and you look up, there is either cloth or leather lining the underside of the roof. This cloth or leather is held up by wire struts that hook into the sides at the tops of the windows. Now, originally when I hired into Fisher Body I was putting the wire struts into the headliner. Now I have advanced. I am taking the finished product and tucking it under what they call retainers or what are called retainers, and that holds them snugly in position.

Mr. CLARDY. You are giving him the final permanent touch that results now.

Mr. VAN DER DOES. Except for the repairman. I must mention——

Mr. CLARDY. You mean when you make a mistake somebody else must catch up with you?

Mr. VAN DER DOES. This is a plug, thank you.

Mr. CLARDY. You probably don't make very many mistakes, though, do you?

Mr. VAN DER DOES. Well, I am a good trimmer, if I may say so without modesty.

Mr. CLARDY. Proceed, Mr. Tavenner.

Mr. TAVENNER. The witness this morning told the committee that he knew you in Flint as a member of the Communist Party and that you were one of the colonizers who moved into the industry in this area, that is, Communist colonizers. Was he correct in so identifying you?

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. TAVENNER. The name of the witness was Herbert Donnelly.

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. VAN DER DOES. I decline to answer this question. First I decline on grounds that this committee does, by design, try to impose physical violence toward unfriendly witnesses which is clearly in violation of the guaranty against cruel and unjust punishment of the eighth amendment, and if you wish proof of this, I will attempt to do that.

Mr. CLARDY. What amendment are you relying on, witness?

Mr. VAN DER DOES. The eighth amendment.

Mr. CLARDY. Is that the sole reliance?

Mr. VAN DER DOES. No, there is further——

Mr. CLARDY. All right, state the rest.

Mr. VAN DER DOES. Grounds. Do you want the proof or do you want the rest.

Mr. CLARDY. I said witness, state the rest of them.

Mr. VAN DER DOES. Okay. I just wanted to be sure. The other grounds that I use——

Mr. CLARDY. I will interrupt you to say you are not being violent like the other witnesses you have seen here be, and I trust you will not be.

Mr. VAN DER DOES. No, but I have very definite opinions that I feel of the situation.

Mr. CLARDY. You may be sure that the committee has some very definite opinions, too. The fact that we have had to do some things that the reluctant witnesses have compelled, is unfortunate, but it is entirely their fault. Now proceed with the rest.

Mr. VAN DER DOES. Another amendment that I would like to invoke which is included in the proudest part of our Constitution by men who were not political peanuts but by men who were of immortal stature, who drafted a Constitution of inaugural. These are the men I would use for the backing. I am proud to invoke the fifth amendment on which much abuse has been heaped in the past period of time.

Mr. CLARDY. Does that conclude your statement of reasons?

Mr. VAN DER DOES. That concludes the statements. If you think——

Mr. CLARDY. On any other question you desire to invoke those, you may do so by merely stating in a few words that you refuse to answer on the grounds previously advanced.

Mr. VAN DER DOES. You mean you accept the fact that I use the eighth amendment——

Mr. CLARDY. We permit you to raise any that you want, even though we think they do not apply. Will you proceed, Mr. Tavenner.

Mr. TAVENNER. Were you a member of the Communist Party at any time while you were employed at Fisher Body?

Mr. VAN DER DOES. I decline to answer that question——

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. TAVENNER. For the reasons assigned?

Mr. VAN DER DOES. Excuse me.

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. VAN DER DOES. I decline to answer that question, too, on the grounds that it violates the rights guaranteed to every individual, to every citizen of the United States, respecting the right of free speech and assembly, and I also invoke the privileges previously stated.

Mr. TAVENNER. Were you a member of the Communist Party at the time you left New York to obtain employment in Flint? That was in the year 1949.

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. VAN DER DOES. I decline to answer that question for the reasons previously stated also.

Mr. TAVENNER. Were you acquainted with Mrs. Churchill, Beatrice Churchill?

Mr. VAN DER DOES. I can do nothing but decline to answer that question on grounds previously stated.

Mr. CLARDY. Do you so decline?

Mr. VAN DER DOES. I do.

Mr. TAVENNER. Mrs. Churchill identified you as having been a member of the Communist Party in the area of Flint. Was she telling the committee the truth or not?

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. DOYLE. Apparently the witness was acquainted with her, because he knew the color of her hair.

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. CLARDY. You see, witness, sometimes in your zeal to overstate your case you slip a word or two in that betrays you. Now I think it would be well if you measure your remarks a little more carefully as the Chair enjoined you a moment ago.

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. VAN DER DOES. Would you please state the previous question?

Mr. CLARDY. Read it, Miss Reporter.

(The question was read by the reporter as follows:)

Mrs. Churchill identified you as having been a member of the Communist Party in the area of Flint. Was she telling the committee the truth or not?

Mr. VAN DER DOES. Decline to answer that question. I think further that all these questions are the same question, and if you are trying to make me use the fifth amendment over and over again, well, as I said at the beginning of my address, I thought that the Bill of Rights was a very fine piece of legislative machinery.

Mr. CLARDY. Are you invoking the fifth amendment?

Mr. VAN DER DOES. I invoke the fifth amendment and all the other grounds previously mentioned.

Mr. CLARDY. Very well. Proceed.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. VAN DER DOES. I refuse to answer that question on grounds previously stated.

Mr. TAVENNER. Have you been a member of the Communist Party at any time?

Mr. VAN DER DOES. Sir, I don't know whether you are being facetious——

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. CLARDY. Then don't be, please, witness. This is not——

Mr. VAN DER DOES. But I decline to answer this question. I decline to answer the question for reasons previously stated.

Mr. CLARDY. Very well.

Mr. TAVENNER. Are you acquainted with Jacob, sometimes referred to as Jake, Moscou?

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. VAN DER DOES. I decline to answer this question also. I feel that it is an invasion of my rights.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. CLARDY. Mr. Velde.

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. VAN DER DOES. Sir, excuse me. On the grounds previously stated.

Mr. VELDE. Mr. Van der Does, you graduated from City College of New York in the department of social science with a B. A. or B. S. degree, which was it?

Mr. VAN DER DOES. B. S., according to my understanding.

Mr. VELDE. Have you ever used the experience, the teaching, the education that you have had and the degree that you have been able to obtain in an application for employment for any position?

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. VAN DER DOES. The question—let me state it back since there is—have I ever tried to gain employment through the—will you please restate the question?

Mr. VELDE. All right. It simply is this: Have you ever used your education and your degree to apply for employment with that education that you have and where the degree was a necessary prerequisite for that type of employment?

Mr. VAN DER DOES. In the past I have investigated the possibilities of using my degree for employment.

Mr. VELDE. But have you ever actually made an application for a position that required that type of background?

Mr. VAN DER DOES. Well, on being turned down verbally I did not bother to fill out the blank.

Mr. VELDE. Before coming out to Flint, Mich., did you confer with anyone in New York City regarding your travel to Flint, Mich.?

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. VAN DER DOES. That question is a question which is a leading one, and I would decline to answer that on the grounds previously stated.

Mr. VELDE. Actually you were sent as an emissary of the Communist Party here to Flint, Mich., were you not?

Mr. VAN DER DOES. Would you like to restate the previous question?

Mr. VELDE. Actually you were sent as an emissary of the Communist Party here to Flint, Mich., from New York City, were you not?

Mr. VAN DER DOES. I decline to answer the question for reasons previously stated. Would you like to restate the question?

Mr. VELDE. I think you have declined to answer the question. It apparently is pretty clear to you.

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. VELDE. I have no further questions.

Mr. CLARDY. Do you have any questions, Mr. Doyle?

Mr. DOYLE. Mr. Van der Does, I first want to compliment you on coming before this hearing with evidently thorough preparation, a series of notes and memorandums, anticipating how you would answer the questions. That is very systematic and very orderly, in the interest of your own presentation. May I ask you, have you been in the hearing room—yesterday, were you here?

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. DOYLE. Were you here yesterday?

Mr. VAN DER DOES. No, I was not here yesterday.

Mr. DOYLE. Earlier today, this morning?

Mr. VAN DER DOES. I was here this morning, yes. I was commanded to be here this morning.

Mr. DOYLE. In other words, you were subpenaed?

Mr. VAN DER DOES. Beg pardon?

Mr. DOYLE. You were subpenaed?

Mr. VAN DER DOES. Yes.

Mr. DOYLE. I noticed that you said, in answer to the question, something like this, you said, as I said before at the beginning I think the Bill of Rights is a very fine piece of legislative machinery. I want to compliment you on that statement, too. As I recall it, the first amendment or Constitution known as part of the Bill of Rights was enacted in December 1791. Naturally our forefathers who wrote those amendments put them there to protect our freedom against any form of totalitarian government. I have come to recognize from the evidence, Mr. Van der Does, that the Communist Party in the United States advocates a totalitarian form of government. Have you anything to say on that?

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. VAN DER DOES. I decline to answer this question also for the same reason as I declined to answer the others. In other words, for the reasons previously stated.

Mr. DOYLE. Well, of course I don't mean to be arguing with you. You are perfectly right in following your counsel's advice, whatever that is, but let me call your attention, because you are a much younger man than I am, and therefore perhaps are more important in the history of the Nation than men in my generation, and if you will pay attention to me just a minute, please——

Mr. VAN DER DOES. I am paying attention, sir.

Mr. DOYLE. Instead of referring to your notes, that is all right.

Mr. VAN DER DOES. I am just shuffling them.

Mr. DOYLE. Well, I want to say just a word to you on the basis of your being a much younger man——

(Representative Harold H. Velde left the hearing room at this point.)

Mr. DOYLE. And very important to the destiny of your own Nation, you know the law under which we are operating here as a congressional committee, you are familiar with it, I know. Do you remember the number of the law under which we are operating here?

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. VAN DER DOES. I think that that is 601, isn't it?

Mr. DOYLE. I just assumed you were merely familiar with it. I see I am correct. We are here, therefore, under that law which invites you to take an opportunity through this committee to help this committee of your Congress understand what the extent of subversive misconduct or conduct is in our Nation as generated by the American Communist Party or any other totalitarian subversive influence. I want to invite you now to help us, your Congress, because we are United States Congressmen first, I want to invite you, sir, to help this committee understand the extent to which the Communist Party or any other subversive group has infiltrated into labor unions or into the automobile industry where you say you are a good trimmer, and I am glad you have that estimate of yourself. That is good, but I am inviting you to help your own congressional group here under-

stand the extent to which there are any subversive activities in this area. In inviting you to do that I am assuming that you appreciate enough the fact that you have had an opportunity, according to your own language, of attending a great many public schools—that was your own language, wasn't it?—so you have had the benefit of a young American of attending great many public schools at the taxpayers' expense, and I am glad that is our system in this country. Will you help us, therefore, to understand what you know about the activities of either the Communist Party in this district or any other group which is seeking to overthrow our constitutional form of government? I am giving you sincerely—I mean it with every word I have in me—and I know that is the kind of a question that you didn't have time to prepare a memo as to how you are going to answer it. Therefore I hope that you will think of it in terms other than preparing to refuse to cooperate.

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. DOYLE. I am glad my question is making you think apparently.

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. VAN DER DOES. May I quote from page 385 of the 14th constitutional Convention of the UAW-CIO which is the highest authority in our union?

Mr. CLARDY. Witness, we are not seeking anything except an answer from you out of your own heart and mind. You are being implored by Congressman Doyle to give grave consideration to supporting your government and protecting it from the evil influences that would destroy it. Now, if you do not care to answer, if you do not care to cooperate, you may say so.

Mr. VAN DER DOES. I would like very much to answer. I would like very much to read a statement from the 14th Constitutional Convention of the UAW-CIO.

Mr. CLARDY. Unfortunately we are not addressing this to a convention. We are asking you, and you only. Now, will you reply in your own language, or decline, as you wish.

Mr. VAN DER DOES. In other words, you don't want to hear what is on this page.

Mr. CLARDY. In other words, we want you to answer. We do not want someone else. If you don't care to answer, just say so, and that will terminate the matter. You will not be pressed beyond that.

Mr. VAN DER DOES. Well, it says in effect that a country which turns to stool pigeons, creating fear, is in effect losing its own freedom by these tactics, and I will have to refuse to answer the question on the grounds previously stated to avoid being a part of this destroying of our democracy.

Mr. DOYLE. Well, of course, young man, I just assumed—I am sorry my assumption was correct—I just assumed from the printed record we have about your activities here, that I have in this book, you see, from our session that that might be your answer. But I did feel possibly with you at your young age, and this is no laughing matter, sir, I assure you, nothing facetious about my invitation to you as a young American. I am very serious. I just hoped that I could say a word to you which might——

(Representative Harold H. Velde returned to the hearing room at this point.)

Mr. DOYLE. Whether you exhibit it here or not to make a decision in your mind to get out of this damnable conspiracy fostered direct from the Soviet Union through the American Communist Party and get out of it and take your proper place and repay the taxpayers of the United States for the public education you have had.

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. DOYLE. One more statement and then I am through. I hope that you and your associates in the back of the room, those of them that are there, will get this straight from me. You made this statement, and I agree with you. You said, I have some definite opinion, and I am mighty glad.

Mr. VAN DER DOES. You wouldn't let me read them, though.

Mr. DOYLE. I am mighty glad, Van der Does, that you have definite opinions, and evidently your opinions and mine sharply disagree on certain lines. Now don't you forget this, I am telling you this, and I am telling you as the father of a boy that gave his life that you and I might have freedom, you see, and I am telling you this: I will fight for you to have your definite opinions, the same as I expect you to have the privilege of fighting for my rights to have my definite opinions, but under American law and under our constitutional form of government your opinions have to be within the four corners of the United States Constitution. That means they have to be legal, and that is all I am asking you to do.

Mr. VAN DER DOES. I believe that mine are, sir, and if they are not, then I think that prosecution is the correct procedure rather than an inquisition.

Mr. DOYLE. One statement more, Mr. Chairman. Assuming again that you are a member of the American Communist Party in this proceeding, almost a dozen Federal court juries in the United States of America in the last 3 years have found everyone with the exception of one defendant guilty, and they are all members of the American Communist Party, of advocating the use of force and violence to overthrow our constitutional form of government, and our courts have held that a violation of law, and therefore I want to tell you, and it is the last thing I will say to you, I want to tell you——

(At this point Mr. Van der Does conferred with Mr. Newblatt.)

Mr. DOYLE. Under the decisions of our courts, therefore, if you are a member of the American Communist Party, even though you may not be a lousy underground member thereof, you are a member of illegal conspiracy.

Mr. CLARDY. Any further questions, Mr. Tavenner?

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. CLARDY. Witness excused. Call your next witness.

Mr. TAVENNER. Mr. John Fitz Moscou.

Mr. CLARDY. Hold up your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MOSCOU. I do.

Mr. CLARDY. You may be seated. Will you identify yourself, sir?

Mr. MAGEE. David S. Magee of Flint, Mich.

TESTIMONY OF JACK MOSCOU, ACCOMPANIED BY HIS COUNSEL, DAVID S. MAGEE

Mr. TAVENNER. What is your name, please, sir?

Mr. MOSCOU. Jack Moscou.

Mr. TAVENNER. When and where were you born?

Mr. MOSCOU. I was born in New York City, Bronx, N. Y.

Mr. TAVENNER. Will you spell your name, please, your last name?

Mr. MOSCOU. M-o-s-c-o-u.

Mr. TAVENNER. You were born in New York City. Where do you now reside?

Mr. MOSCOU. In Flint.

Mr. TAVENNER. What was the date of your birth?

Mr. MOSCOU. November 6, 1929.

Mr. TAVENNER. How long have you resided in Flint?

Mr. MOSCOW. Approximately 5 years.

Mr. TAVENNER. What is your occupation?

Mr. MOSCOU. I work at Chevrolet, valve forge department.

Mr. TAVENNER. When did you obtain your employment?

Mr. MOSCOU. In October of 1949.

Mr. TAVENNER. Where did you reside prior to obtaining your employment at Chevrolet—I would like to withdraw the question. Did you have any other employment in Flint prior to your being employed at Chevrolet?

Mr. MOSCOU. Yes, sir, I did.

Mr. TAVENNER. What was that employment?

Mr. MOSCOU. I worked at the Anderson Tank Manufacturing Co., I worked at a construction company, and I worked at the Fisher Body Co.

Mr. TAVENNER. How long a period of time did you work in Flint before being employed by Chevrolet?

Mr. MOSCOU. A couple of months.

Mr. TAVENNER. A couple of months?

Mr. MOSCOU. Yes.

Mr. TAVENNER. The three jobs that you mentioned then were held for a period of several months?

Mr. MOSCOU. One job I held for 2 days, one job for 3 days, and Fisher Body for a month or so.

Mr. TAVENNER. When did your first employment begin in Flint?

Mr. MOSCOU. In Fisher Body about August of 1949.

Mr. TAVENNER. Where did you live prior to coming to Flint in August 1949?

Mr. MOSCOU. Well, at a great many places, but the longest place was Oswego, N. Y. I hitchhiked around the country somewhat, lived in Buffalo for a little while, but that was all in a period of just a month or so. I stayed in Oswego, N. Y. for 2 years.

Mr. TAVENNER. Did you come to Flint from Buffalo?

Mr. MOSCOU. Sir?

Mr. TAVENNER. Did you come to Flint from Buffalo?

Mr. MOSCOU. That was the last place I lived; yes.

Mr. TAVENNER. What was your employment in Buffalo?

Mr. MOSCOU. I couldn't get work there.

Mr. TAVENNER. You were there only several months. Where were you prior to that?

Mr. Moscou. Oswego, N. Y.

Mr. Tavenner. What was the nature of your employment at Oswego, N. Y.?

Mr. Moscou. I was going to Oswego State Teachers College.

Mr. Tavenner. Is that the teachers college?

Mr. Moscou. That is right.

Mr. Tavenner. How long were you in attendance at that college, how many years?

Mr. Moscou. Two years.

Mr. Tavenner. Did you complete your course there?

Mr. Moscou. No, sir.

Mr. Tavenner. Did you have any other scholastic training besides that at the teachers college?

Mr. Moscou. You mean higher than that?

Mr. Tavenner. Of any kind.

Mr. Moscou. I went to public school and high school.

Mr. Tavenner. Any other college work?

Mr. Moscou. No, sir.

Mr. Clardy. Did I understand you had 1 or was it 2 years in a teachers college?

Mr. Moscou. Two years.

Mr. Clardy. That was where?

Mr. Moscou. Oswego, N. Y.

Mr. Clardy. At Oswego?

Mr. Moscou. Yes.

Mr. Tavenner. Do you recall whether or not in making your application for employment with Chevrolet that you advised them that you had had 2 years of college training?

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. Moscou. No, sir; I did not.

Mr. Tavenner. You did not advise them?

Mr. Moscou. No, sir.

Mr. Tavenner. Why?

Mr. Moscou. Well, when I quit college I went to Buffalo, N. Y., to look for work, and I filled out a great many applications at local plants there, and I couldn't get work despite the fact that they were hiring, and the personnel manager told me that he wouldn't hire me because he figured I was going back to college in 3 or 4 weeks or a month and I would just be drawing 3 or 4 pay collections. I said well let me have another application blank and I will fill that. He said you should have done that in the first place so when I came out here I took his advice and did that in the first place.

Mr. Tavenner. Did you have any reason for leaving it out?

Mr. Moscou. No, sir.

Mr. Tavenner. It has been testified here by Mr. Herbert Donnelly, that you were one of the group which has been described as colonizers of the Communist Party who moved in here to revive the Communist Party in Flint and to furnish the leadership to the masses. Were you a member of that group?

Mr. Moscou. I would like to say first that Mr. Doyle has stated that a stoolpigeon is supposed to tell the truth. A stoolpigeon is supposed to lie. That is my first statement, and then I would like to consult counsel for a minute.

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. Moscou. Sir, I have worked at many places, I have been a farmhand, I have been a shipping clerk, I have traveled around the southern part of the country, and I came here of my own volition.

Mr. Clardy. That doesn't answer the question. Answer it.

Mr. Moscou. Insofar as I can say, sir, I came here at no one's request.

Mr. Clardy. I want to correct something you said a moment ago. It isn't the stoolpigeon that lies. It's the Communist Party line that any lie that will further the cause of the Communist Party is justifiable. You are absolutely mistaken in your identity of those who make lying a policy.

Now, your next question, Mr. Tavenner.

Mr. Moscou. Assume, sir, that I am free to——

Mr. Clardy. Next question.

Mr. Tavenner. Were you a member of the Communist Party before you came to Flint?

Mr. Moscou. This is an improper question dealing with associations, covering a great many facets of my life, and I will refuse to answer it. I will not help this committee to violate the Constitution of the United States of America. I use the fifth amendment of the United States.

Mr. Tavenner. You said that you were not sent here. Did you confer with any functionary of the Communist Party prior to your arrival in Flint regarding what your future activities should be in Flint?

Mr. Moscou. I testified, sir, that I came here of my own volition, after having moved around a great deal of this country; my associations, alleged or otherwise, people I may have talked to or not have talked to are not the concern of this committee nor any investigating committee, and I shall refuse to answer that question after pointing out it is an unconstitutional question and standing on the fifth amendment.

Mr. Tavenner. A few moments ago I asked Mr. Bill Van der Does if he was acquainted with you. He refused to answer on the ground that to do so might tend to incriminate him. Are you aware of any reason why he should have felt that to answer that question truthfully might tend to incriminate him?

Mr. Moscou. Sir, after studying the records of the Radulovich case, I don't think anybody ought to recognize their own father before this committee.

Mr. Tavenner. Will you answer the question, please?

Mr. Moscou. I thought I did.

Mr. Clardy. Witness, you did not. You know you did not. You know you are being deliberately impertinent. Now answer the question.

Mr. Moscou. I shall have to reluctantly invoke the fifth amendment to answering that question.

Mr. Doyle. Did you say reluctantly?

Mr. Moscou. That is right, sir; I said reluctant.

Mr. Doyle. You mean you wish you didn't have to?

Mr. Moscou. I wish, sir that the real meaning of the fifth amendment were known to the American public and that it was not confused in their minds by hypocritical Congressmen.

Mr. Doyle. By what?

Mr. Moscue. By hypocritical Congressmen.

Mr. DOYLE. That gives me your estimate of the United States Congress, I can see that.

Mr. MOSCOU. No, sir; that gives you my estimate of the hypocritical Congressmen.

Mr. DOYLE. Of what Congressmen?

Mr. MOSCOU. Look it up in the record.

Mr. DOYLE. I beg your pardon.

Mr. CLARDY. I couldn't hear that last.

Mr. MOSCOU. I said you can ask the record.

Mr. DOYLE. May I have the record—I want to see how smart this young man is trying to be, please. Give me what he said.

(The answer was read by the reporter as follows:)

I wish, sir, that the real meaning of the fifth amendment were known to the American public and that it was not confused in their minds by hypocritical Congressmen.

Mr. DOYLE. Hypocritical.

Mr. TAVENNER. At the time you sought employment with Chevrolet, did you advise the company that in the event of emergency to notify Bill Van der Does?

Mr. MOSCOU. You say I did?

Mr. TAVENNER. Did you?

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. MOSCOU. My counsel has advised me that I should invoke the fifth amendment in answering this question.

Mr. CLARDY. Are you doing so?

Mr. MOSCOU. Yes, sir; I am following my counsel's advice.

Mr. CLARDY. You must say so if you expect to get the protection of it.

Mr. MOSCOU. Yes, sir.

Mr. TAVENNER. I hand you a photostatic copy of an application for employment at Chevrolet bearing date——

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. TAVENNER. Of October 5, 1949. Will you examine it, please, and state whether or not the signature on the second page at the bottom is your signature?

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. MOSCOU. Sir, I am not sure that you really want to know the answer because I feel if I start to——

Mr. CLARDY. That is enough, Witness. Desist. Now answer the question. You know the smirking attitude you have adopted, the supercilious air that you have put on your face and your whole body, in effect, and the insulting language you use is not serving your purpose at all. You may think so, but you are gravely mistaken. The American public will not be taken in and deceived by that sort of thing. Now confine yourself to be temperate and honest and fair in your answers. Do not misstate what you were doing for the thing you seem to think it is, something smart. Now proceed to answer the question.

Mr. MOSCOU. I can only say that when I wish to remain silent, you insist that I talk, and when I wish to talk, you insist that I remain silent.

Mr. CLARDY. That is enough of that, Witness, answer the question.

Mr. Moscou. I shall refuse to answer the question quoting the fifth amendment and also use the first amendment by guaranteeing the right of privilege as it covers the subject.

Mr. Tavenner. I desire to introduce the document into evidence and ask that it be marked "Moscou exhibit No. 1."

Mr. Clardy. It will be received.

(Photostat of application above referred to marked "Moscou exhibit No. 1" was received in evidence.) [1]

Mr. Tavenner. Will you examine on the front page of the document exhibit No. 1, the place where the names of the persons are stated who are to be notified in the event of an emergency. Will you read the name of the first individual appearing there?

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. Moscou. This is your document, sir. I suggest you read it.

Mr. Tavenner. All right.

Mr. Clardy. I direct you to read it. Just a moment. I direct you to read it, sir.

Mr. Moscou. Upon advice of my counsel I shall then read it. The names to be notified in emergency are Bill Van der Does and Mr. S. Moscou.

Mr. Clardy. The Bill Van der Does is the witness who just preceded you on the stand.

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. Moscou. I shall refuse to answer that question under the fifth amendment.

Mr. Clardy. Do you know any other Bill Van der Does?

Mr. Moscou. Sir, who I know or who I may not know is my business. It is not the function of a congressional committee to question me about my associations. I shall again have to refuse to answer this question as irrelevant and in violation of my constitutional rights under the fifth amendment to the Constitution.

Mr. Clardy. You are directed to answer it.

Mr. Moscou. I have stated my reasons for not answering the question under the fifth amendment.

Mr. Clardy. Proceed.

Mr. Tavenner. Were you acquainted with Bill Van der Does prior to your coming to Flint?

Mr. Moscou. I did not request—I don't recall that I requested not to be photographed, and I see the photographer looking at me, so I will at this time request it.

Mr. Clardy. Proceed with your answers.

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. Moscou. I did not have an answer to my request, sir.

Mr. Clardy. Proceed with the answer to the question that has been propounded to you.

Mr. Doyle. He has only looked at you. He hasn't taken your picture yet.

Mr. Clardy. I can't figure for the life of me why he'd want it.

Mr. Moscou. He just took it. I tell you I wouldn't mind, but I am not photogenic.

Mr. Clardy. Go ahead.

Mr. Moscou. As many different ways as you can try to associate me with Bill Van der Does I can still refuse to answer under the fifth amendment.

[1] Retained in committee files.

Mr. CLARDY. Do you think that knowing him can incriminate you?

Mr. MOSCOU. I repeat, after having read the Radulovich case, in the political climate of this country today, your own father could——

Mr. CLARDY. Witness——

Mr. MOSCOU. I shall refuse to answer this unconstitutional question which is invasion of my privacy under the first and fifth amendments.

Mr. CLARDY. Proceed, Mr. Tavenner. Did you attend a meeting in September of 1949 of the youth section of the Communist Party held on a farm near Columbiaville, Mich.?

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. MOSCOU. I shall have to refuse to answer that question, sir, citing the fifth amendment to the Constitution.

Mr. TAVENNER. Were you assigned by the Communist Party to become active in an organization known as Young Progressives?

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. MOSCOU. I shall have to refuse to answer that question under the fifth amendment.

Mr. TAVENNER. Were you a member of a group of the Communist Party composed exclusively of members employed at Chevrolet?

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. MOSCOU. These questions, sir, are not designed to gather in any information but to further a witch-hunting congressional committee and I shall rely upon the Constitution of the United States of America and refuse to answer that question, claiming the privileges of the fifth amendment.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. MOSCOU. I won't bother with any kind of speech, I will just refuse to answer that under the fifth amendment.

Mr. TAVENNER. Thank you.

Mr. CLARDY. Read that to me.

Mr. MOSCOU. You are quite welcome. Wait a moment.

Mr. CLARDY. Read that, Miss Reporter.

(The answer was read by the reporter as follows:)

I won't bother with any kind of speech, I will just refuse to answer that under the fifth amendment.

Mr. CLARDY. I am indeed glad to get the public acknowledgment that you have been making speeches.

Mr. MOSCOU. No more so than you, sir.

Mr. CLARDY. Proceed, Mr. Tavenner.

Mr. TAVENNER. I have no further questions.

Mr. CLARDY. Any questions, Mr. Velde?

Mr. VELDE. Yes, I just have one question. This impertinent man here has remarked several times about the dangerous political climate in this country, and named Congressmen and I presume he was referring to us among others, as being hypocritical and one thing and another. I just want to ask you this, young man: Would be rather be under the domination of Soviet Russia in that political climate at the present time than you would be living here in the United States of America?

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. MOSCOU. Sir, the question is definitely irrelevant and I will——

Mr. CLARDY. The Chair will rule on the relevancy of the question. You are directed to answer.

Mr. MOSCOU. May I ask, Congressman Clardy——

Mr. CLARDY. No, you may not ask me anything, sir. You may answer the question.

(At this point Mr. Moseou conferred with Mr. Magee.)

Mr. MOSCOU. I don't care to answer that question, sir.

Mr. CLARDY. Is that the way you want the record to stand——

(At this point Mr. Moseou conferred with Mr. Magee.)

Mr. CLARDY. That you just don't care to express your feelings about your country?

Mr. MOSCOU. I would be glad to express my feelings if I would be assured by this committee that it would not constitute a waiver of my constitutional rights and open the door to further questioning which would tend to degrade me.

Mr. CLARDY. This committee has said repeatedly we will, under no circumstance, make deals with witnesses, and particularly not with witnesses who have behaved as you have. Now, if you do not care to let the people who may be reading this record, observing you or hearing your voice now, know that you are a good patriotic American, you need not say so.

Mr. MOSCOU. Sir, I consider myself to be a good and patriotic American. I think that the question is prejudicial and unfairly worded and insincere, and in view of the fact——

Mr. VELDE. No, I will assure you it is a very sincere question. I would like to know whether you would rather live under the domination of the red flag in Soviet Russia, Communist China or any of the other satellite countries of Soviet Russia than you would live in the United States of America.

Mr. MOSCOU. Sir, that wasn't a question. That was a stump speech. In view of the fact that this committee announced that it was coming to town approximately 6 months ago to investigate the dangerous Communist conspiracy I would like to ask that that question be postponed for 1 week, since we already waited 6 months, and that you arrange a public debate in which we will discuss the issues.

Mr. VELDE. I submit, Mr. Chairman, that is not an answer to my question.

Mr. CLARDY. Of course it isn't. Are you declining to answer?

Mr. MOSCOU. I have stated that I will refuse to answer that question as constituted—as composed, under the privilege granted to me through the fifth amendment.

Mr. CLARDY. Then as I take it, you think you would be incriminating yourself to confess that you would prefer to live in the United States of America?

Mr. MOSCOU. No, sir, I feel that this committee would then open the door to asking other questions which they do not have the right to ask me, but that I would waive my rights.

Mr. CLARDY. Proceed.

Mr. VELDE. Mr. Chairman, I have no further questions except I would like to make this remark that I feel certain that counsel for this witness has not been responsible for any of the remarks, the nasty remarks that he has made, and that he is in every way following the ethics of the legal profession in giving advice as he has.

Mr. CLARDY. I have known him for quite a while. He is a good American citizen and a very good friend of mine, and I am sure that he will at no time advise any client of his to perform as this gentleman has. Do you have any questions, Mr. Doyle.

Mr. Doyle. Yes, just 1 or 2. When you made the application to the Chevrolet Co. for employment, did you live at 1809 Maryland Avenue, Flint?

Mr. Moscou. Are you asking me or telling me?

Mr. Doyle. Yes.

Mr. Moscou. I shall refuse to answer the question under the grounds previously stated.

Mr. Doyle. Did the Bill Van der Does live at 1809 Maryland Avenue, Flint, Mich., at the time you signed an application for employment with Chevrolet?

Mr. Moscou. Sir, this committee claims to be making investigation. I don't know what you are investigating if you think you already know it.

Mr. Clardy. Answer the question.

Mr. Doyle. Thank you for telling me that it was the fact that Bill lived there. That is the sum total of your answer.

Mr. Moscou. I will thank you for not taking away from me my constitutional rights of privacy and I will refuse to answer that question on the grounds previously stated.

Mr. Doyle. I assure you there is nothing hypocritical about my desire to uncover any person that is a member of the Communist conspiracy in this country. Here is your signature on this photostat of this original application for employment. Will you please sign your name as Jack Moscou, not as Jacob? This is signed as Jack. Just sign the name Jack so I can compare the signatures.

Mr. Moscou. You went through this showboat antic, sir, several days ago. You were given an answer that time by a witness and I was here and heard the answer and I will tell you, no, sir, I will not sign the paper for your benefit.

Mr. Doyle. Well, I noticed you in the room a few days again, being very attentive, and to what was going on, and that is your privilege. Now I will ask you if it isn't a fact that on this application for Chevrolet employment, which you signed as indicated, in your handwriting there appears not only your name, but the name of Bill Van der Does as a resident at 1809 Maryland Avenue, Flint, Mich. Will you look at it please? That so appears, doesn't it, over your signature?

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. Moscou. I have not stated, sir, that that is my signature, and I shall refuse to answer that question under the fifth amendment.

Mr. Tavenner. Well, look at it and see if it is similar to your signature at least.

Mr. Moscou. Sir, they have been looking at a lot of photographs in Washington lately causing quite some confusion.

Mr. Doyle. Yes, that is a very smart answer on your part.

Mr. Moscou. The question is not whether it is smart but whether it is correct.

Mr. Doyle. That is right, you are a very brilliant boy. Will you look at that signature and state whether that is at least similar to your signature?

Mr. Moscou. I have stated I will not answer that question and rely on the fifth amendment.

Mr. Doyle. Will you look at that?

Mr. Moscou. I have looked at it.

Mr. Tavenner. Now, it is similar to your signature, isn't it?

Mr. Moscou. I have already refused to answer that question, sir.

Mr. Doyle. Now, I notice on the face of this photostat of your original application for employment, there is a notation here on the bottom thereof in typewriting. Will you look at it so you make sure that I am reading it correctly. Now you are looking at it, it says "S. S. card retained for name change from Jack S. Moscou to Jacob S. Moscou," so you also go by the name of Jacob S. Moscou, don't you?

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. Doyle. You are one and the same person with Jack, the way you signed it, aren't you?

Mr. Moscou. My name, sir, as recorded on my birth certificate is Jacob Moscou.

Mr. Tavenner. You wrote down on your application here, according to the face of it, Jack. Why didn't you write your full name when you first wrote it down?

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. Moscou. It has not been established, sir, that that is my application.

Mr. Tavenner. No, but you know whether or not it is your application.

Mr. Moscou. You seem to know better than I do.

Mr. Doyle. You are a very smart boy. Was Bill Van der Does related to you in any way when you placed his name down here as a person to be notified by your employer in case of accident to you? Was he any relative of yours?

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. Moscou. I have not stated, sir, that I placed anybody's name on any application, and that, I think, covers the question. And may I say, sir, if you will permit——

Mr. Tavenner. It is not even a clever evasion of my question.

Mr. Moscou. It wasn't a clever question, it didn't need a clever evasion.

Mr. Doyle. Well, you are a very smart boy. I will ask you who, at the time you made this application, Mr. S. Moscou was who lived, according to the face of this photostat, at 1240 Sherman Avenue, Bronx, New York. Who was he?

Look at it. You see it there to refresh your memory.

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. Doyle. Was he related to you, if so, how?

Mr. Moscou. Sir, I again repeat, in view of the fact that you are trying to trick me, I have not stated that this is my application. I do happen, to have, however, a father who has that name.

Mr. Doyle. Well, I am glad you are at least not ashamed to admit that it was your father's name that you wrote on the application.

Mr. Moscou. Is that the best you can do?

Mr. Clardy. Anything further, Mr. Doyle?

Mr. Doyle. Yes, just this, for the benefit of the young man: Did you serve in the military force of the United States?

Mr. Moscou. No, sir, I have not.

Mr. Doyle. Why?

Mr. Moscou. I have never been called.

Mr. Doyle. Not been called?

Mr. Moscou. No, sir.

Mr. Doyle. How old are you?

Mr. Moscou. 24.

Mr. DOYLE. Have you been examined for service in the Military Establishment?

Mr. MOSCOU. No, sir; I have not.

Mr. DOYLE. Have you registered?

Mr. MOSCOU. Yes, sir; I have registered.

Mr. DOYLE. When? Do you have a copy of your registration card with you?

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. MOSCOU. I registered, sir, on my 18th birthday, and I have the copy here. I will look it up.

Mr. DOYLE. Well, that's good. Maybe that will help identify you more.

Mr. CLARDY. Please, no demonstrations of either approval or disapproval. This is a committee of your Congress, and we must have silence and decorum.

Mr. MOSCOU. How about some honest questions?

Mr. TAVENNER. May I see your card, please?

Mr. DOYLE. This card shows the name of Jacob S. Moscou, 1240 Sherman Avenue, Bronx, New York, November 6, 1928, as the date of birth, and on the signature place of the card it is signed Jack S. Moscou. Is that your signature or your registration card? To refresh your memory whether or not you signed it, I ask you if that is your signature?

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. DOYLE. Let me see it just a minute more. Thank you.

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. DOYLE. To refresh——

Mr. MOSCOU. Yes, sir, that is my signature on the registration card.

Mr. DOYLE. Now, I will ask you to compare your signature on your registration card with a signature of Jack Moscou on the application for employment for Chevrolet employment or agency and ask you if there is any similarity which you recognize between the two.

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. MOSCOU. This whole thing is irrelevant, sir. I have no intention of comparing signature. I am not a handwriting expert, and I shall refuse to answer under the fifth amendment.

Mr. DOYLE. I assure you it is not irrelevant for the United States Congress to find out who the leaders of the Communist Party are in the United States.

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. DOYLE. Now, Mr. Chairman, I am calling to your attention the registration card which this witness admitted he says was his signature on the face thereof in the place provided, and that signatures must be signed there, and the signature on the exhibit 1 in the matter of this young man in the witness chair, application for employment to Chevrolet, and I want the record to show that my own opinion is, and I have practiced law some 30 years before I went to Congress 8 years ago, it is one and the same man who signed both papers.

Mr. CLARDY. It appears so to the Chair, the only difference being, as I see it, is that in one instance he inserts a middle initial of "S" and the other he does not. But the formation of the letters and the general appearance would seem to me to be the same.

Mr. DOYLE. I call your attention further, however, for the record, as far as I did of the witness, while he apparently registered as Jack S. Moscou on the registration certificate of the selective-service system,

his application for employment with Chevrolet Co. which he first signed as Jack S. Moscou was changed apparently by his authority and direction, according to the typewritten memorandum thereon, from Jack S. Moscue, which is the way he registered for selective service, to Jacob S. Moscue; whatever his reason was, of course, doesn't appear. But it could be different persons, of course. I will ask you, Mr. Moscou, whether or not you have notified your selective service draft board of your change of residence?

Mr. MOSCOU. Yes, sir, I have.

Mr. DOYLE. When?

Mr. MOSCOU. Most recently about a week ago. They sent me a letter about my status, my marital condition, et cetera.

Mr. DOYLE. And your draft board is which draft board? Where is the draft board located to which you sent that note?

Mr. MOSCOU. Well, I registered in Oswego, N. Y., but I was told to list my parents' address, so the draft board is registered in the Bronx, New York City.

Mr. DOYLE. Your selective service registration file—does your name appear there as Jacob S. Moscou any place, the way you registered for employment?

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. MOSCOU. I don't know, sir.

Mr. DOYLE. If not, why not?

Mr. MOSCOU. Well, usually I will put down the name Jack because that is what I have been called all my life. If somebody says full name or birth certificate is produced I have to change it to Jacob, but if I am not thinking about it I always put down Jack first.

Mr. DOYLE. Is your true and correct name Jack or Jacob?

Mr. MOSCOU. I have stated that my true and correct name is Jacob.

Mr. DOYLE. Why didn't you register that way with the selective service draft board?

Mr. MOSCOU. I have never been called Jacob since I was born. Everybody called me Jack, and I have always used that name.

Mr. DOYLE. I just want to say one word to you, young man, I hope the time will come before you are very much older where you, if you are in the Communist Party—I will put it that way—that you will get out of it and apply your natural ability, which you certainly have, in the interest of your own great Nation which gave you birth, and I hope that when you get in the Armed Forces, if you do, pray God you will never have to or any other American lad to serve where they might be killed, but if you ever do get in the Armed Forces of the United States where other boys have served and given their lives already, that you might get a free education, I hope that if there is any connection between you and the Communist Party in America that you will have dissolved it long before you get in the Armed Forces. I just want to say this one thing to you.

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. DOYLE. Just one statement, Mr. Chairman. I hardly know how to word it in the presence of this very brilliant boy, except may I say this to you, I hope the time will come before too long when you look at yourself pretty clearly, analyze yourself instead of considering your United States Congress a bunch of hyprocrites, and that is the language you applied——

Mr. MOSCOU. I did not say that, sir.

Mr. DOYLE. You applied it at least to the men before you here today representing——

Mr. MOSCOU. Sir, the three people on the committee are not the United States Congress in the sense of all its Members.

Mr. DOYLE. Then you do restrict, I hope, your designation as hyprocrites to we three, is that correct?

Mr. MOSCOU. No, sir, I do not. I include a lot more Congressmen, but I leave quite a few out.

Mr. DOYLE. How many more members of the United States Congress do you designate as hypocrites?

Mr. MOSCOU. I didn't come prepared to answer any such irrelevant statements.

Mr. DOYLE. You volunteered the statement of your own volition that some of us were hypocrites.

Mr. MOSCOU. That has no question with having volunteered one statement volunteering another one.

Mr. DOYLE. I think it opens the subject matter very much if that is your attitude toward the United States Congress, if there are a lot of us there as hypocrites, I think the quicker the American public knew your opinion, the better.

Mr. MOSCOU. Sir, this committee came to town and said any person who is innocent of any wrongdoing and called before this committee will have a chance to clear themselves. I consider myself free of any wrongdoing, prejudged by this committee, placed in an unfortunate position, in a position where I have to defend the Constitution from unconstitutional attacks by Congressmen.

Mr. DOYLE. May I say now, as long as you have volunteered again the information that this committe offered opportunity to come before it and clear themselves, I am offering you now again an opportunity to clearly state and honestly, clear yourself of the information we have that you are right now an active member of the Communist Party. Now that is the information we have, if we are wrong, I am giving you a chance to clear it. That is what you said we announced we would do. I am doing it right now again. Clear yourself, are you or are you not?

(At this point Mr. Moscou conferred with Mr. Magee.)

Mr. MOSCOU. Sir, I have never advocated the forceful or violent overthrow of the United States Government in any way, shape or form. However, when you try to link up my personal and private beliefs with organizations, I have to rely on my constitutional privileges by saying that the committee is not authorized to do so and that—well, I will just say that I will stop with the fifth amendment. I will use the fifth amendment not to answer that question. However, if I can put in a few words and I would not be belligerent when I say them——

Mr. CLARDY. You will not be permitted to put in any more words. You have had too many now.

Mr. MOSCOU. I know that so the committee thinks.

Mr. CLARDY. Do you have any more questions, Mr. Doyle. The witness is dismissed. We will take a 5-minute recess.

(Whereupon, at 3:45 p. m., the hearing was recessed, to reconvene at 3:50 p. m.)

(Whereupon, at 3:57 p. m., the hearing was reconvened.)

Mr. CLARDY. The committee will be in session. Call your next witness.

Mr. TAVENNER. James A. Coleman, will you come forward, please.

Mr. CLARDY. Hold up your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. COLEMAN. I do.

Mr. CLARDY. You may be seated. Counsel, again will you identify yourself?

Mr. NEWBLATT. Harry Newblatt.

Mr. CLARDY. Before you start, Mr. Tavenner, I think I had better make a brief announcement: The staff and members of the committee, with the exception of myself, must make a plane back to Washington. I am going back by another method, and accordingly it will be necessary to adjourn at 4:30. This will undoubtedly be the last witness for today. I would ask that all the other witnesses remain here at 4:30 so I may make the announcement as to what will be done with respect to them. In the meantime, any of those who have not thus far been called who desire to sign the voucher form will come up to the clerk's form on my right here as quietly as you can during the next half hour and dispose of that because the clerk has to get out of town, too.

Proceed, Mr. Tavenner.

Mr. COLEMAN. May I say that the committee ask the photographers not to take any pictures while I am talking or while I am being questioned.

Mr. CLARDY. Very well, we will have no more pictures. Start with the testimony.

Mr. TAVENNER. What is your name, please, sir?

TESTIMONY OF JAMES A. COLEMAN, ACCOMPANIED BY HIS COUNSEL, HARRY NEWBLATT

Mr. COLEMAN. My name is James Coleman.

Mr. TAVENNER. Do you have a middle initial?

Mr. COLEMAN. "A," standing for Andrew.

Mr. TAVENNER. James A. Coleman.

Mr. COLEMAN. Right.

Mr. TAVENNER. When and where were you born, Mr. Coleman?

Mr. COLEMAN. I was born in Philadelphia, Pa. in 1924, November 5.

Mr. TAVENNER. Will you tell the committee, please, what your education training has been?

Mr. COLEMAN. I would like to make a request in regard to that question or ask a question of procedure. You know, my union and my friends have advised me to answer all these questions, reply as correctly as I possibly can. My attorney has advised me to use the fifth amendment in the correct way. I am just a layman. I have never been in anything like this before, and to comply with all this it's going to be quite a task for me, so I would like to ask this committee, which is composed of lawyers and experienced politicians, and members with this experience are aware, I know, that the questions on employment, schooling, and other things like that, are leading questions and have the purpose and intent of proving my participation in a nonexisting conspiracy. Therefore, my answers to your questions cannot and will not be simple yes and no answers. The questions themselves are not simple and innocent or as clean-cut as you would give the people to believe they are.

Mr. CLARDY. Witness, may I interrupt you. We have no desire of being harsh or anything else, but time is of the essence at the moment, and——

Mr. COLEMAN. It is, and this is very brief.

Mr. CLARDY. If you will answer the question or decline, as you wish. This has to do with your educational background. Now if you can state it simply, I wish you would.

Mr. DOYLE. Evidently, Mr. Chairman, the witness is reading a prepared statement which is understandable.

Mr. COLEMAN. This isn't a prepared statement, it is a question of procedure and it is prepared from the point of view that I had to give consideration to it, certainly.

Mr. DOYLE. That is right.

Mr. COLEMAN. My answers in order to be correct will have to deal with the questions as they really are and not as you may think I should answer them. They have to be my answers although they have to be your questions, and I would like to ask your indulgence when I give my reply to these questions to not be interrupted.

Mr. TAVENNER. Let us see if we can get together on our questions and your answers.

Mr. COLEMAN. The question that you asked about my education.

Mr. TAVENNER. Yes.

Mr. COLEMAN. I regard that as a leading question in the view of what has taken place here in this committee, I regard it as a leading question because it has been the purpose of this committee to condemn anyone who has had an education above a high school level as being an intellectual laborer, and being an intellectual laborer seems to put you in the classification of a Communist, and I would prefer not to bring up any kind of connection——

Mr. CLARDY. Are you declining to answer the question, witness?

Mr. COLEMAN. And I would like to state my——

Mr. DOYLE. Mr. Chairman.

Mr. COLEMAN. I am declining to——

Mr. DOYLE. Witness, you were never more wrong in your life in that statement.

Mr. COLEMAN. I was never more accurate.

Mr. DOYLE. You were very inaccurate, and you are doing organized labor and the working people of the country a disservice when you make that declaration, and I can't let it pass. Someone has been filling you with a lot of baloney.

Mr. CLARDY. Witness, will you answer the question now, as I am afraid you are going to take the fifth amendment——

(At this point Mr. Coleman conferred with Mr. Newblatt.)

Mr. CLARDY. And let's get it over with. Are you listening to me?

Mr. COLEMAN. No, I am afraid I didn't hear you.

Mr. CLARDY. I was afraid not. Will you answer the question or decline as you wish.

Mr. COLEMAN. I would like to decline and state my reasons why.

Mr. CLARDY. Is it on the ground of the fifth amendment?

Mr. COLEMAN. Well, I would like to state why I decline.

Mr. CLARDY. We don't care to entertain a lengthy statement, but if you have a brief succinct statement of your point——

Mr. COLEMAN. Well, my reasons for declining will have to be——

Mr. CLARDY. You may state them briefly.

Mr. COLEMAN. My reasons for declining may not be as brief as you would like them to be, because as I said before, the questions that are asked are not as——

Mr. CLARDY. Mr. Tavenner, I discharge the witness from the chair at this point with directions to return at the next hearing. Call the next witness. You are not relieved from your subpena.

Mr. TAVENNER. Murray Borod.

Mr. CLARDY. Will you raise your right hand? Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BOROD. I do.

Mr. CLARDY. Be seated. Mr. Magee, will you identify yourself.

Mr. MAGEE. David S. Magee.

Mr. BOROD. Mr. Chairman, I would like to request a ruling on the motion that my attorney presented to this committee.

Mr. CLARDY. The motion has been considered and denied.

Mr. TAVENNER. What is your name, please, sir?

TESTIMONY OF MURRAY BOROD, ACCOMPANIED BY HIS COUNSEL, DAVID S. MAGEE

Mr. BOROD. My name is Murray Borod.

Mr. TAVENNER. When and where were you born, Mr. Borod?

Mr. BOROD. I was born in New York City on February 13 of 1915.

Mr. TAVENNER. Where do you now reside?

Mr. BOROD. I now reside at 815 East Seventh Street in Flint.

Mr. TAVENNER. What is your occupation?

Mr. BOROD. My occupation is auto worker.

Mr. TAVENNER. By what company are you employed?

Mr. BOROD. I am employed at the present time, and I answer this question with no intent to waive my rights to answer any future question regarding my employment at the Chevrolet Motor Co.

Mr. TAVENNER. How long have you been so employed?

(At this point Mr. Borod conferred with Mr. Magee.)

Mr. BOROD. I have been advised by counsel that by answering this question I am not waiving any further rights, so I reply that I have been employed at the Chevrolet Motor Co. since August of 1949.

Mr. TAVENNER. What is the nature of your employment—what was the nature of your employment when you first accepted it in August 1949.

(At this point Mr. Borod conferred with Mr. Magee.)

Mr. BOROD. I have been advised by counsel that I may answer this question. I was employed in the pressed metal division of the Chevrolet Motor Co. as a press operator.

Mr. TAVENNER. Had you had experience in that type of work in auto manufacturing prior to your acceptance of the position with the Chevrolet Motor Co. in Flint?

Mr. BOROD. Mr. Tavenner, I want to make it known now that I am not going to become a part of the plan of this committee to destroy the organized labor movement and the democratic institutions of our country.

Mr. TAVENNER. We hope we are helping the organized labor movement, Mr. Witness.

Mr. Borod. Your hopes are far from the truth, sir.

Mr. Clardy. Let us not have argument.

Mr. Tavenner. Answer the question.

Mr. Doyle. May I just have the record at this point show again that this man was never more wrong in his life when he makes the declaration that this committee has a plan to destroy the labor unions. That is false, and I believe it is deliberately false.

Mr. Borod. Mr. Doyle——

Mr. Clardy. Proceed, Mr. Tavenner.

Mr. Tavenner. Will you answer the question, please?

Mr. Borod. I am going to answer Mr. Doyle.

Mr. Clardy. No; you are not answering anybody but Mr. Tavenner's question.

Mr. Borod. You don't want to hear my views?

Mr. Clardy. Witness, Mr. Doyle, as a committee member, has the right to make a statement after you made the one that you did, which was probably false, and I am glad he made it.

Mr. Borod. Mr. Clardy, you are no friend of labor. You are an enemy of labor, Mr. Clardy.

Mr. Clardy. Will you step up beside the witness and restrain him if it becomes necessary. Now, witness, please restrain yourself. We don't want a show here. Now proceed, Mr. Tavenner.

Mr. Tavenner. Will you answer the question, please?

Mr. Borod. Would you please repeat the question?

Mr. Tavenner. The question was whether or not you had had experience in the line of work in which you were employed in August 1949 prior to your employment there with the Chevrolet plant.

Mr. Clardy. Witness, if you think you can restrain yourself, I will have the officers retreat to the door there. How about it?

Mr. Borod. Mr. Clardy, I did not ask to come before this committee.

Mr. Clardy. I know that.

Mr. Borod. I was subpenaed just the way you subpenaed Mr. Harry S. Truman.

Mr. Clardy. Yes, it is too bad he didn't appear, but now will you answer my question?

Mr. Borod. I don't blame him for not appearing. I did not request to come here, and I am not——

Mr. Clardy. Will you restrain yourself and answer the question?

Mr. Borod. I am quite restrained, sir.

Mr. Clardy. And answer the question peacefully.

Mr. Borod. I am quite restrained.

Mr. Clardy. All right. You may retire, officers; if he shows any signs I will call you back again. Now proceed, Mr. Tavenner.

Mr. Tavenner. The question is whether or not prior to your employment with Chevrolet in August 1949 you had experience in automotive work.

(At this point Mr. Borod conferred with Mr. Magee.)

Mr. Borod. I decline to answer that question because this committee wants to make me a part of their plan to destroy the organized labor movement and the democratic institutions of this country through its creating hysteria, fear, intimidation of people, where people will be afraid to fight for their economic necessities, for higher wages, shorter hours——

Mr. CLARDY. Witness, that will be about enough. Now what are your legal grounds for refusing to answer?

Mr. BOROD. I refuse to answer this question on the following legal grounds: It is my firm belief that the very fact of the existence of this committee is a violation of the first amendment of the Constitution of the United States, which says that Congress shall make no laws respecting an establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press or of the right of the people peacefully to assemble and to petition the Government for redress of grievances. This committee was set up for the purpose of——

Mr. CLARDY. That will be enough on that. You have stated the first amendment. Now——

Mr. BOROD. Sir, I am not through with the first amendment.

Mr. CLARDY. You are through with the first amendment.

Mr. BOROD. I am not through, sir.

Mr. CLARDY. Witness—officers, step up again. If we have to use force, we will do so, to keep you within bounds.

(At this point Mr. Borod conferred with Mr. Magee.)

Mr. CLARDY. If you have any other statements to make, you may state them fairly, but we have heard enough about the first amendment. Do you raise the fifth amendment, or any of the others? If so, invoke it.

Mr. BOROD. I also decline to answer on the grounds of the fifth amendment, and I further decline to answer on the legal grounds of the ninth amendment, which reads as follows——

Mr. CLARDY. You don't have to read that. We will excuse that. We have it in front of us here. Pass on. Now, do you raise any others?

Mr. BOROD. Sir?

Mr. CLARDY. Do you raise any other amendments?

Mr. BOROD. I am not sure, sir. With the ninth amendment——

Mr. CLARDY. You are through with the ninth amendment. Now let us pass on to the next one.

Mr. BOROD. I also wish—I refuse to answer this question on the grounds that it would be a violation of the entire Constitution of the United States, and I will not be a party to that, sir.

Mr. CLARDY. Very well. Now, if you wish to raise the same objections to any other questions you need only state the fact that you do decline on the grounds previously stated. Proceed, Mr. Tavenner.

Mr. TAVENNER. How long prior to August 19, 1949, was it that you came to the city of Flint for employment and to make it your place of residence?

Mr. BOROD. Sir, I decline to answer any questions regarding the free right to travel, to work where one pleases. The only place that I know where these rights are taken away was in Nazi Germany and in South Africa, sir, where the caste system exists.

Mr. VELDE. I just wanted to dispute that statement just a minute.

Mr. BOROD. Go ahead, Mr. Velde.

Mr. VELDE. What do you think would happen to you if you would go up before a court of law in Soviet Russia or any of the Soviet Russia satellites and give the kind of answers that you have given to this committee of the United States Congress? Do you have any idea? Maybe you had better consider that a little bit.

Mr. BOROD. Are you asking me a question, sir?

Mr. VELD. Yes, I am.

Mr. BOROD. Your remarks regarding Russia, which is a controversial subject, and which I do not wish to discuss in this hearing room, are made for the sole purpose of inciting the American people into a war against Russia for the purpose of making billions of dollars of profit for the large corporations, particularly General Motors Corp., sir.

Mr. VELDE. That, sir, typifies you as an American Communist at the present time, that very statement.

Mr. BOROD. That typifies you as a warmonger, sir.

Mr. VELDE. I suggest that we cannot get anything more from this witness and he be excused at the present time.

Mr. CLARDY. Mr. Tavenner, ask him the one remaining question that you must know is on our minds.

Mr. TAVENNER. Mr. Borod, you were identified by Mr. Herbert Donnelly and also by Beatrice Churchill and also by Bereniece Baldwin as having been a member of the Communist Party working in the area of Flint. Were those identifications of you true or false?

Mr. BOROD. Mr. Tavenner, stoolpigeons never tell the truth.

Mr. TAVENNER. Then will you tell us the truth?

Mr. BOROD. Mr. Tavenner, I will be perfectly willing to discuss my views with anyone at any time and at any place.

Mr. TAVENNER. I didn't ask for views.

Mr. BOROD. But not under the subpena of this committee, a committee which is known in the labor movement as an antilabor committee, and I will not become a part of the destruction of the trade-union movement, sir.

Mr. TAVENNER. I didn't ask you for an opinion. I asked you for a statement of a matter of fact.

Mr. BOROD. In my opinion this is fact, sir.

Mr. CLARDY. Is that the only answer you care to give?

(At this point Mr. Borod conferred with Mr. Magee.)

Mr. BOROD. I have been advised by counsel, sir, to refuse to answer this question on the legal grounds of the fifth amendment.

Mr. DOYLE. I wish, Mr. Chairman, to have the record show that I contradict very strenuously the statement of this witness that this committee is known by the labor movement in America as antilabor. I happen to know that is not a fact. I do know, however, it very definitely is known as an antilabor committee by the Communists in the labor movement in America, not by the patriotic unions nor by the patriotic membership in the labor unions.

Thank God there are only a very, very few that are not absolutely patriotic.

Mr. CLARDY. I concur, Mr. Doyle.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. BOROD. Mr. Tavenner, you know that I am not going to answer that question.

Mr. CLARDY. Very well, decline to do so and state your grounds.

Mr. BOROD. I decline to answer that question on the grounds previously stated, sir.

Mr. CLARDY. Very well. Do you have any further questions, Mr. Tavenner?

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. CLARDY. The witness is excused.

Now, in view of the fact that it is almost 4:30, we have a few things which must be said.

Mr. DOYLE. Mr. Chairman, I am sure the record should show at this point that the subcommittee here has authorized the subcommittee chairman to make the announcement about the future dates.

Mr. VELDE. Yes. Mr. Chairman, before closing the meeting this afternoon I would like to make just a very brief statement concerning the committee hearings here. I feel first of all that we owe a debt of gratitude to our good colleague from the State of California, Mr. Doyle, for taking time out to come out here to Michigan and render the able service he did as the Democratic member of this committee.

I know that he has contributed a great deal to the hearings here today. I also want to compliment you, my good friend from Michigan, on your able handling of the chair during the course of these hearings. May I say also, as chairman of the full Committee on Un-American Activities, that I appreciate the courtesy that all of the courthouse officials, the State police, the security officials in your various fine automobile plants and sparkplug plants here have shown the committee and its staff, and I think I did mention the local police.

We thank them for the courtesy, and also I am sure that you will thank the Board of Supervisors for giving us this fine hearing room to hold our hearings in.

May I say that as far as the members of the bar here in Flint are concerned, that all of those who have represented witnesses here before this congressional hearing, have at all times acted in accordance with the ethics, the high ethics, of the bar association of this State and of the United States, I am sure, and for that we are extremely grateful.

It has been a pleasure for me to be here, and I hope that I will be able to come back in the future—possibly under different circumstances, where I can enjoy some of the natural resources that you have here in the great State of Michigan.

Mr. CLARDY. Thank you, Chairman Velde. Of course I am afraid that when we start talking about the beauties of Michigan, that we may have Mr. Doyle on our necks because he talks about California all the time, and now he wants to say it.

Go ahead.

Mr. DOYLE. I wish to say, inasmuch as the distinguished chairman of the full committee of nine members mentioned the fact that I did come to occupy the minority seat on this committee during this subcommittee hearing, and he identified me as a Democrat from Congress—that is true—and I just wish to state this. Mr. Chairman, that while it was not an easy matter for me to get away from Washington at this time, I was glad to come to fill in in the emergency.

One further statement: I want this audience to understand, and I want my fellow Democrats to understand very clearly that we of the Democratic Party, we men that are elected to Congress, the leadership of the Democratic Party, are not one bit less axious to help rid American labor unions and American industry and in fact the whole American scene of Communists or other subversive conspirators than is the Republican Party or any other group.

I want to make it clear, as a Democrat—first I am here as an American Congressman, but I came to this committee deliberately yesterday on invitation from the chairman in an emergency to fill this seat. I

want you as American citizens to know that the Democrats are not less interested in doing this job, which is very difficult, very uncomfortable, very nerve-wracking, in time. The Democratic Party is just like the Republican Party—we are Americans first, and we are partisans second, but we are a hundred percent together in the difficult job of ridding, releasing to exposure of clean atmosphere those American citizens who, whatever their motives, dedicate their lives to Soviet communism rather than to the United States of America.

Mr. CLARDY. Thank you, Mr. Doyle.

Those who remain under subpena, and have not been called to the stand, by the direction of the chairman of the full committee will report on May 27 next unless, in the interval, word to the contrary setting a new place or date should be announced. Unless you are advised to the contrary, you will report in this same room on May 27. It is entirely possible, however, that the busy schedule of the members of the full committee may make it difficult for us to keep that date. We may even have to move the entire hearing to Detroit, or we may have to bring some of the witnesses to Washington.

That is something yet to be solved and decided on, but because of the legal problems involved, we are making the announcement now that the subpenas for those who have not been called are continued until May 27 in this room, May 27 this year—yes, including, as I am reminded, James A. Coleman, who started to testify and who was asked to step aside because it was obvious we could not complete in the time required, and it will be 9:30 a. m., and if there is any doubt or confusion in anybody's mind, inquiry should be made to us, either now or in writing after we have left.

Now, of course, I can't let this hearing conclude without adding a little bit to the things said by Mr. Velde and Mr. Doyle. Chief Byars and his force have been most cooperative throughout the period of the investigation and have contributed much to the committee in helping us solve a lot of tough problems. They have done an excellent job in keeping order in addition to that.

The State police I have thanked before, but I want to single out my good friend, Andy Most, who has been working with Mr. Appell, our investigator, and with Mr. Jones the other investigator, for a long period of time and done an excellent job, but the entire State police force have cooperated with us in a way that deserves special commendation.

Mr. Galliver, of course, should be mentioned. He has made it possible for us to have about the largest room in Flint. We certainly appreciate it. I shall call it to the attention of my colleagues in the House when I return.

If there is anyone I have left out, I will just issue a blanket thank you to everyone who has in any way made our stay here pleasant. I am not speaking of the time spent in the hearing room itself. But at any rate, the committee will conclude its hearings at either the dates set or some other.

I want to let everyone who is under subpena know that they are not being excused if they have not been on the stand and excused.

With that the hearing is adjourned.

(Whereupon, at 4:30 p. m., the hearing was adjourned.)

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